

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 19-cv-00901-WJM-NRN

MICHAELLA LYNN SURAT,

Plaintiff,

v.

RANDALL KLAMSER, in his individual capacity, and
CITY OF FORT COLLINS, a municipality,

Defendants.

**UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND TO
MOTION TO DISMISS**

Plaintiff, by and through her attorneys David Lane and Tania Valdez, of KILLMER, LANE & NEWMAN, LLP, respectfully submits this Unopposed Motion for Extension of Time to Respond to Motion to Dismiss [Doc. 22] as follows:

CERTIFICATION PURSUANT TO D.C.COLO.LCivR 7.1

Plaintiffs' counsel, Tania Valdez, certifies that she conferred with Mark Ratner, counsel for the Defendants, who indicates that they do not object to the relief sought herein.

CERTIFICATION PURSUANT TO D.C.COLO.LCivR 6.1(c)

Plaintiffs' counsel, Tania Valdez, certifies that she served a copy of this Motion on her client contemporaneously with the filing of this motion.

PROCEDURAL BACKGROUND AND REQUEST FOR RELIEF

1. Plaintiff filed her Complaint and Jury Demand [Doc. 1] on March 26, 2019.
2. Defendants filed their Motion to Dismiss [Doc. 22] on June 7, 2019. Thus, Plaintiff's response is currently due on June 28, 2019.
3. Plaintiff's counsel are diligently working on the response but require additional time.
4. Mr. Lane, lead counsel, is heavily involved in motions hearings and in preparing the defense of a court-appointed death penalty case in Pueblo County District Court Case No. 2018CR1538, *People v. Miguel Contreras-Perez*. Additionally, Mr. Lane is out of the state teaching a course in California from June 27-July 1, 2019.
5. Mr. Lane and Ms. Valdez have been scheduled for numerous depositions in *Estate of Briones, et al. v. Adams County, et al.*, No. 18-cv-00865-PAB-MEH, and *Castille v. City and County of Denver et al.*, No. 17-cv-00912-RM-SKC, during the month of June 2019. Additionally, Mr. Lane and Ms. Valdez recently filed an appellate brief on a criminal case in state court, *People of the State of Colorado v. Surat*, No. 18CV31155, on June 24, 2019.
6. For the foregoing reasons, Plaintiff hereby respectfully seeks a brief extension of the response deadline, up to and including July 3, 2019, to file her Response to Defendants' Motion to Dismiss [Doc. 22].
7. No party will be prejudiced by the relief sought herein.

CONCLUSION

WHEREFORE, Plaintiff respectfully requests that the Court grant her an extension of time up to and including July 3, 2019, to file her response, and for any other relief deemed just and proper.

Respectfully submitted this 28th day of June 2019.

KILLMER, LANE & NEWMAN, LLP

/s/ Tania Valdez
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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I certify that on this 28th day of June 2019 I filed a true and correct copy of the foregoing via CM/ECF which will generate e-mailed notice to the following:

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