

District Court, Larimer County, State of Colorado 201 LaPorte Avenue, Suite 100 Fort Collins, CO 80521-2761 (970) 494-3500	DATE FILED: September 6, 2019 CASE NUMBER: 2018CV149
Plaintiff: Eric Sutherland	▲ COURT USE ONLY ▲
v. Defendants: The City of Fort Collins, et al.	Case Number: 2018CV149 Courtroom: 5B
ORDER GRANTING PLAINTIFF'S MOTION FOR A HEARING	

The City of Fort Collins filed its Second Motion for Attorneys' Fees & Costs on July 25, 2019. On August 16, the Plaintiff filed a motion requesting a hearing on the City's motion. On September 5, the City filed its response to the Plaintiff's request for a hearing. The Plaintiff is entitled to a hearing. *See In re Marriage of Aldrich*, 945 P.2d 1370, 1380 (Colo. 1997). However, the Plaintiff is not entitled to a rehearing on issues already decided.

The Plaintiff's "new theory of law" claim has been fully litigated and will not be the subject of the hearing. The Court orders that the hearing is limited in scope to the reasonableness and necessity of the fees requested in the City's July 25 motion.

The City should file a Notice to Set Hearing on their Motion no later than September 20, 2019.

Settings may be scheduled any Tuesday or Wednesday at 1:15 p.m. The Division Clerk will initiate the call to the Parties/Attorneys. If you have any questions regarding setting procedures, please call Alyson Miller, Division Clerk, at (970) 494-3810.

Dated: September 6, 2019.

BY THE COURT:



Gregory M. Lammons
 District Court Judge