

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.

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**DEFENDANTS' UNOPPOSED MOTION FOR EXTENSION OF TIME  
TO SERVE RESPONSES TO DISCOVERY**

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Defendants RANDALL KLAMSER, in his individual capacity, and CITY OF FORT COLLINS, a municipality, (collectively "Defendants"), by and through their attorneys, Hall & Evans, L.L.C., submits the following as their Unopposed Motion for Extension of Time to File Responses to Plaintiff's First Set of Written Discovery:

**Certificate of Conferral**

Pursuant to D.C.Colo.LCivR 7.1(a), the undersigned Counsel conferred with Counsel for the Plaintiff, via email on November 6, 2019. Counsel for the Plaintiff does not oppose the relief requested herein.

**I. INTRODUCTION AND ARGUMENT**

According to the allegations of the Complaint, this matter arises out of the arrest of Plaintiff on or about April 6, 2017. The Complaint generally alleges a violation of 42 U.S.C.

§1983, and specifically her rights pursuant to the Fourth and Fourteenth Amendments to the United States Constitution. The Complaint in this matter was filed on or about March 26, 2019. [ECF 1].

On October 15, 2019, Plaintiff submitted her First Set of Written Discovery Requests to Defendant City of Fort Collins. On that same date, Plaintiff also submitted her First Set of Written Discovery on Defendant Randall Klamser.

Defendants' responses are currently due on November 14, 2019.

Defendants respectfully request a thirty-two day extension of time, until **December 16, 2019**, to submit their Responses to Plaintiff's First Set of Discovery Requests. The extension of time is necessary to have sufficient time to properly investigate the factual bases underlying the Defendants' responses to the Discovery Requests and to confer with Mr. Klamser and with the relevant officials from the City of Fort Collins concerning their responses. Furthermore, the extension would allow Defense Counsel sufficient time to properly assess Plaintiff's Interrogatories, Requests for Production, and Requests for Admissions.

Pursuant to the Court's Practice Standards, and D.C.COLO.LCivR 6.1(c), a copy of this Motion has been served on John Duval, Esq., Deputy City Attorney for the City of Fort Collins, as well as Fort Collins Police Officer Randall Klamser.

WHEREFORE, the Defendants respectfully request the Court grant their Unopposed Motion for Extension of Time to Serve Responses to Discovery and to extend the deadline to submit their Responses to Plaintiff's First Set of Discovery Requests to December 16, 2019.

Respectfully submitted, this 7<sup>th</sup> day of November 2019.

*s/ Mark S. Ratner*

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**Attorney for Defendants**

**CERTIFICATE OF SERVICE (CM/ECF)**

I HEREBY CERTIFY that on the 7<sup>th</sup> day of November, 2019, I electronically filed the foregoing **DEFENDANTS' UNOPPOSED MOTION FOR EXTENSION OF TIME TO SERVE RESPONSES TO DISCOVERY** with the Clerk of Court using the CM/ECF system and U.S. Mail as follows:

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s/ Robin Havens, Legal Assistant to  
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