

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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**UNOPPOSED MOTION FOR ENTRY OF A PROTECTIVE ORDER**

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Mark S. Ratner, counsel for Defendants RANDALL KLAMSER, in his individual capacity, and CITY OF FORT COLLINS, a municipality, (collectively "Defendants"), in the above-captioned matter, submits the following as their Unopposed Motion for Entry of a Protective Order:

1. According to the allegations of the Complaint, this matter arises out of the arrest of the Plaintiff, on April 6, 2017 (ECF No. 1 at ¶ 1).
2. Generally, the Plaintiff alleges a violation of her Fourth Amendment rights through the use of excessive force by Defendant, Fort Collins Police Officer Randall Klamser, and the City of Fort Collins' purportedly established policies, customs, and/or practices.
3. Certain documents of Defendants that may be requested and produced in this matter, may contain personal and confidential information protected under

constitutional, statutory or common law privacy interests, such as personnel information pertaining to third-parties, medical information pertaining to Plaintiff, and personal information with respect to Fort Collins Police Officers and employees.

4. Certain documents of Plaintiff that may be requested and produced in this matter contain personal, confidential, tax and/or medical information protected under constitutional or statutory provisions or under common law privacy interests. In particular, due to the nature of the Plaintiff's claims and requested damages, Plaintiff's medical information will be produced in this matter and may retain some privacy interests in such information as to collateral persons.

5. Nothing contained in this Motion should be construed as an acknowledgment by the Plaintiff or the Defendant that any specific information that could fall into any of the categories outlined above is properly discoverable pursuant to the applicable Federal Rules of Civil Procedure and federal and Colorado law.

6. The parties respectfully request the accompanying Protective Order be entered by this Court to govern the handling of confidential information produced in this litigation.

7. Undersigned Counsel conferred with Counsel for the Plaintiff, through email correspondence. The proposed Protective Order attached as **Exhibit A** is a compromise reached through discussions among Counsel. The plaintiff does not oppose entry of the proposed Protective Order.

WHEREFORE, for all of the foregoing reasons, the Defendants respectfully request this Court enter the attached Protective Order as an attached Order of this Court.

Dated this \_\_\_\_ day of January 2020.

Respectfully submitted,

s/ Kendra K. Smith  
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**ATTORNEYS FOR DEFENDANTS**