

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

Civil Action No. 1:18-cv-03112-RBJ-STV

SEAN SLATTON,

Plaintiff,

v.

TODD HOPKINS,
BRANDON BARNES,
JOHN HUTTO, and
FORT COLLINS POLICE DEPARTMENT

Defendants.

**REVISED UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE
PLAINTIFF'S RESPONSE TO DEFENDANTS' MOTIONS TO DISMISS**

Plaintiff, by and through his attorneys, Helen Oh and David Lane, hereby submits the following Revised Motion for Extension of Time to File Plaintiff's Responses to Defendants' Motions to Dismiss and states as follows:

1. Defendant Hopkins filed his Motion to Dismiss on January 13, 2020 [Doc. 96].
2. Defendants Fort Collins, Colorado, Brandon Barnes, and John Hutto filed their Motion to Dismiss on January 16, 2020 [Doc. 98].
3. On January 29, 2020, undersigned counsel filed a motion to file one consolidated response to the Defendants' Motions to Dismiss [Doc. 99], which this Court granted [Doc 100].
4. On February 5, 2020, undersigned counsel filed a motion for extension of time, up to and until February 20, 2020 [Doc. 101], which this Court granted. [Doc. 102].
5. Plaintiff's counsel is diligently reviewing the filings in this matter and preparing responses to all Defendants' Motions to Dismiss, but needs one additional week, up to and including February 27, 2020, to fully prepare the response.

6. In addition to the usual press of business, undersigned counsel David Lane has been appointed to a sealed federal death penalty case in the Western District of Texas and made an emergency trip to Texas last week for hearings related to his client's indictment. Mr. Lane spent the full week in Texas and this has consumed an extensive amount of his time.

7. In addition to the usual press of business, undersigned counsel Helen Oh was recently added to a case, *City of Denver v. Jeffrey Svehla*, Case No. 18GS012483, for which she appeared on her client's behalf and spent a considerable amount of time preparing for the case's dismissal. She is also unexpectedly preparing for a telephonic hearing tomorrow for an expedited determination on a protective order filed in *Surat v. Klamser et. al.*, Case No. 19-cv-00901-WJM-NRN, for which she must file a response by the end of the day.

8. On February 19, 2020, undersigned counsel filed a Motion for Extension of Time to Respond to Defendants' Motions to Dismiss, seeking a one-week extension, up to and including February 27, 2020 to fully prepare a response. [Doc. 103].

9. On February 20, 2020, this honorable court denied Plaintiff's Motion for Extension of Time because Plaintiff's conferral was by email, instead of by phone or in-person. [Doc. 104].

10. In response to the court's order, Plaintiff has conferred with counsel for Defendants by phone, and Defendants do not oppose the relief requested.

11. No party will be prejudiced by the relief sought herein.

CERTIFICATION PURSUANT TO D.C.COLO. LCivR. 7.1

12. Undersigned counsel hereby certifies that she conferred by phone with Mark Ratner, counsel for Defendants Barnes, Hutto, and the City of Fort Collins; and by phone with

Nicholas Poppe, counsel for Defendant Hopkins, on February 20, 2020. Defendants do not oppose the relief requested.

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

8. Counsel for Plaintiff, David A. Lane and Helen Oh, certify that a copy of this Motion will be served contemporaneously on Defendants upon the filing of this Motion.

WHEREFORE, Plaintiffs respectfully request that the Court grant his Revised Motion for Extension of Time to File Responses to Defendants' Motions to Dismiss, up to and including February 27, 2020, and for any other relief deemed just and proper.

Respectfully submitted this 20th day of February 2020.

KILLMER, LANE & NEWMAN, LLP

s/ Helen Oh

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CERTIFICATE OF SERVICE

I certify that on this 20th day of February 2020 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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