

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

Civil Action No. 17-cv-00884-CMA-STV

CHAYCE AARON ANDERSON,

Plaintiff,

v.

JASON SHUTTERS,

Defendant.

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**PLAINTIFF'S UNOPPOSED MOTION TO POSTPONE PRETRIAL ORDER  
DEADLINE AND PRETRIAL CONFERENCE DATE**

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Plaintiff Chayce Anderson, through undersigned counsel, respectfully requests that this Court postpone the pretrial order deadline and final pretrial conference until a decision on Magistrate Judge Scott Varholak's Report and Recommendation is made. Pursuant to D.C.COLO.LCivR 7.1(a), undersigned counsel conferred with Defendant's counsel, who does not oppose this Motion. Pursuant to D.C.COLO.L.CivR 6.1(c), a copy of this motion has been served on moving counsel's client. In support, Plaintiff states as follows:

1. The final pretrial conference is currently set for November 21, 2019. The Court has set a November 14, 2019 deadline for the Parties to submit a joint proposed pretrial order.

2. However, on November 5, 2019, Magistrate Judge Scott Varholak issued Report and Recommendation recommending that Defendant's Motion for Summary Judgment be granted and Plaintiff's lawsuit be dismissed (ECF No. 132).

3. Plaintiff's deadline to file an objection to that order is November 19, 2019, in accordance with 28 U.S.C. § 636(b)(1)(C) and Fed. R. Civ. P. 72(b)(2). Defendant will then have until December 3, 2019 to respond to that objection, *i.e.*, fourteen days.

4. Based on the current deadlines, resolution of Magistrate Judge Varholak's Report and Recommendation will not be ripe until after the pretrial conference occurs, which may be mooted in any event.

5. Therefore, there is good cause to postpone the current pretrial order deadline and pretrial conference date pending resolution of the Report and Recommendation.

6. This is Plaintiff's second motion to extend deadlines since Plaintiff was appointed counsel (see ECF No. 125). The Parties filed one joint motion for an extension of time in December 2018 (ECF No. 109). Defendant has filed two unopposed motions for extensions of time (ECF Nos. 115, 119), both of which were granted (ECF Nos. 117, 121).

WHEREFORE, Plaintiff respectfully requests that this Court grant his Unopposed Motion to Postpone the Pretrial Order Deadline and Pretrial Conference Date.

Dated this 7th day of November, 2019.

**s/Christopher J. Casolaro**

Christopher J. Casolaro

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***Attorneys for Plaintiff***

**CERTIFICATE OF SERVICE**

The undersigned certifies that on November 7, 2019, a true and correct copy of the foregoing **PLAINTIFF'S UNOPPOSED MOTION TO POSTPONE PRETRIAL ORDER DEADLINE AND PRETRIAL CONFERENCE DATE** was filed with the court and served on all counsel of record via the Court's CM/ECF e-file system AND was served upon the Plaintiff via First Class Mail.

*s/ Carol Wildt*  
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Legal Administrative Assistant