

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 17-CV-01177-LTB-NYW

LAURA TYLER, as Personal Representative of the Estate of Dakota McGrath,

Plaintiff,

v.

FORT COLLINS POLICE SERVICES OFFICER NICK RODGERS, in his individual capacity,

Defendant.

**PLAINTIFF'S SECOND STATUS REPORT AND REQUEST FOR 28-DAY
EXTENSION OF TIME TO FILE STIPULATION FOR DISMISSAL OF CASE**

Plaintiff Laura Tyler, as Personal Representative of the Estate of Dakota McGrath, hereby submits the following second status report, and requests an additional 28-day extension of time, until October 23, 2018, to file a stipulation to dismiss the instant case, as follows:

1. The instant case has been settled, and Plaintiff has now negotiated a final lien figure with Medicaid.
2. However, pursuant to the terms of the settlement agreement, Defendant intends to pay that Medicaid lien directly, and to have Medicaid confirm, in writing, that the lien has been satisfied. Defendant will not remit the balance of the settlement proceeds to the Plaintiff until such written confirmation has been received from Medicaid.
3. The settlement of this matter cannot be consummated until these final steps have been taken.

4. Medicaid has recently undergone some staffing changes, and the parties anticipate that obtaining the necessary documentation from Medicaid may take longer than usual.

5. Defendant does not object to an additional extension of 28 days to complete these tasks.

Dated this 25th day of September, 2018.

THE VIORST LAW OFFICES, P.C.

[Original signature on file at Viorst Law Offices, P.C.]

s/ Anthony Viorst

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Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of September, 2018, I sent a true and correct copy of the foregoing **PLAINTIFF'S SECOND STATUS REPORT AND REQUEST FOR 28-DAY EXTENSION OF TIME TO FILE STIPULATION FOR DISMISSAL OF CASE** with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following e-mail address(es):

Matthew J. Hegarty, Esq.
Thomas J. Lyons, Esq.
Hall & Evans, LLC
1001 Seventeenth Street, Suite 300
Denver, CO 80202

[Original signature on file at Viorst Law Offices, P.C.]

s/ Michelle Spadavecchia

Legal Assistant