

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 20-cv-02192-RBJ

DONNA WALTER, and
MARK MILLIMAN,

Plaintiffs,

v.

GOVERNOR JARED POLIS, in his official capacity as Governor of Colorado,
JEFFREY J. ZAYACH, in his official capacity as Executive Director, Boulder County
Public Health, and
DARIN ATTEBERRY, in his official capacity as City Manager, City of Fort Collins,

Defendants.

**UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE REPLY BRIEF IN
SUPPORT OF MOTION TO DISMISS FROM DEFENDANT DARIN ATTEBERRY**

Defendant Darin Atteberry, by and through his counsel, Andrew D. Ringel, Esq., of Hall & Evans, L.L.C. and John R. Duval, Esq., Deputy City Attorney, Fort Collins City Attorney's Office, hereby respectfully submits this Unopposed Motion for Extension of Time to File Reply Brief in Support of Motion to Dismiss, as follows:

1. Certificate of Compliance: Prior to filing this Motion, the undersigned counsel conferred with counsel for the Plaintiffs, Mark Patlan, Esq. Mr. Patlan indicated the Plaintiffs do not oppose this Motion.

2. Plaintiffs responded to Defendant Darin Atteberry's Motion to Dismiss on December 11, 2020. Accordingly, Defendant Atteberry's Reply Brief in Support of Motion to Dismiss would be due on December 26, 2020. The undersigned counsel is charged

with the responsibility of preparing the Reply Brief for Defendant Atteberry and is scheduled to take some time off during the holiday season. Accordingly, Defendant Atteberry respectfully requests an extension until January 11, 2021, to file his Reply Brief in Support of Motion to Dismiss.

3. No party will be prejudiced by this extension of time and this Court's consideration of the Motion to Dismiss will not be disrupted because this Court has already granted identical extensions of time for the other Defendants' Reply Briefs.

4. Pursuant to D.C.Colo.LCiv.R. 6.1(c), the undersigned counsel will serve his client with this Motion.

WHEREFORE, for all the foregoing reasons, Defendant Darin Atteberry respectfully requests this Court grant him an extension of time until and including January 11, 2021, to file his Reply Brief in Support of Motion to Dismiss, and for all other and further relief as this Court deems just and appropriate.

Dated this 17th day of December, 2020.

Respectfully submitted,

s/ Andrew D. Ringel .

Andrew D. Ringel, Esq.
of Hall & Evans, L.L.C.
1001 17th Street, Suite 300
Denver, CO 80202
Phone: 303-628-3453
Fax: 303-628-3368
ringela@hallevans.com

and

John R. Duval, Esq.
Deputy City Attorney
Fort Collins City Attorney's Office
P.O. Box 580
Fort Collins, CO 80522
Phone: (970) 221-6520
jduval@fcgov.com

**ATTORNEY FOR DEFENDANT
DARIN ATTEBERRY**

CERTIFICATE OF SERVICE (CM/ECF)

I HEREBY CERTIFY that on the 17th day of December, 2020, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following e-mail addresses:

Mark C. Patlan, Esq.
mpatlan@patlanlw.com

Grant T. Sullivan, Esq.
grant.sullivan@coag.gov

Peter G. Baumann, Esq.
peter.baumann@coag.gov

David E. Hughes, Esq.
dhughes@bouldercounty.org

Catherine R. Ruhland, Esq.
cruhland@bouldercounty.org

s/Nicole Marion, Legal Assistant of
Hall & Evans, L.L.C.