

DISTRICT COURT, COUNTY OF LARIMER,
COLORADO

Larimer County Justice Center
201 Laporte Avenue, Suite 100
Fort Collins, Colorado 80521-2762
(970) 498-6100

Plaintiff: THE CITY OF FORT COLLINS,
COLORADO, a municipal corporation,

v.

Defendants: BOARD OF COUNTY COMMISSIONERS
OF LARIMER COUNTY, COLORADO;
STREETMEDIAGROUP, LLC

Andrew D. Ringel #24762
Hall & Evans, L.L.C.
1001 17th Street, Suite 300
Denver, CO 80202
303-628-3300
Fax: 303-628-3368
ringela@hallevans.com

John R. Duval #10185
Deputy City Attorney
Claire Havelda #36831
Assistant City Attorney
City Attorney's Office
300 Laporte Avenue
P.O. Box 500
Fort Collins, Colorado 80522
970-221-6652
Fax: 970-221-6327
jduval@fcgov.com
chavelda@fcgov.com

Attorneys for Plaintiff

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▲ COURT USE ONLY ▲

Case Number: 2020CV030580

Division: 4B

**PARTIALLY UNOPPOSED MOTION FOR EXTENSION OF
TIME TO RESPOND TO MOTION TO DISMISS**
with proposed Order

Plaintiff City of Fort Collins, by and through its attorneys, Andrew D. Ringel, Esq., of Hall & Evans, L.L.C. and John R. Duval, Esq., Deputy City Attorney, and Claire Havelda, Esq., Assistant City Attorney, of the Fort Collins City Attorney's Office, hereby respectfully submits this Partially Unopposed Motion for Extension of Time to Respond to Motion to Dismiss, as follows:

1. Certificate of Conferral: Pursuant to C.R.C.P. 121(1-15)(8), prior to filing this Motion, the undersigned counsel conferred with counsel for the Defendants. Counsel for Defendant Board of County Commissioners of Larimer County, Jeannine S. Haag, Esq., indicated Larimer County does not oppose this Motion. Counsel for Defendant StreetMediaGroup, LLC, Andrew J. Helm, Esq., indicated he does not oppose an extension of 7 days but does oppose the requested extension for 10 days.

2. Defendant StreetMediaGroup, LLC filed its Motion to Dismiss was filed on September 22, 2020. As a result, Plaintiff's Response to the Motion to Dismiss is due on or before October 13, 2020. The undersigned counsel for Plaintiff who has primary responsibility for preparing the Plaintiff's Response requires some additional time to do so and therefore respectfully requests an extension of time until and including October 23, 2020.

3. First, the Motion to Dismiss consists of 21 pages and raises several distinct arguments requiring research by the undersigned counsel and then preparation of an appropriate response to each argument. Second, the undersigned counsel is also responsible for a variety of

other different matters and has not yet had the opportunity to devote sufficient time to the response to the Motion to Dismiss due to the pendency of those other matters and the deadlines associated with them. In particular, during the past three weeks, the undersigned counsel has filed a brief with the United States Court of Appeals for the Tenth Circuit, Motions to Dismiss in six cases involving allegations made by inmates and detainees related to COVID-19 in the United States District Court for the District of Colorado, motions practice in various state court cases, submitted several Position Statements to the EEOC and the CCRD, participated in two all-day mediations, several depositions, and several preparation meetings with deponents for their depositions. This week, the undersigned counsel has two depositions preparation meetings, two depositions, a Reply Brief in Support of a Motion for Summary Judgment and an Answer Brief to the United States Court of Appeals for the Tenth Circuit, among other activities. These activities this week mean the undersigned counsel will only have limited time to devote to the Response to the Motion to Dismiss this week and therefore needs all of next week to complete the work on it. Those reasons are why the undersigned counsel needs more time than the 7 days offered by counsel for StreetMediaGroup, LLC.

4. No party will be prejudiced by this brief extension of time and the requested extension will not unduly disrupt the schedule before this Court.

5. Pursuant to C.R.C.P. 121(1-15)(6), the undersigned counsel has served his client representative with a copy of this Motion.

WHEREFORE, for all the foregoing reasons, Plaintiff City of Fort Collins respectfully requests this Court grant it an extension of ten (10) days until and including October 23, 2020, to

file its Response to Defendant StreetMediaGroup, LLC's Motion to Dismiss, and for all other and further relief as this Court deems just and appropriate.

Dated this 12th day of October, 2020.

Respectfully submitted,

/s/ Andrew D. Ringel

Andrew D. Ringel #24762
Hall & Evans, L.L.C.
1001 17th Street, Suite 300
Denver, CO 80202
303-628-3300
Fax: 303-628-3368
ringela@hallevans.com

and

John R. Duval #10185
Deputy City Attorney
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Assistant City Attorney
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chavelda@fcgov.com

**ATTORNEYS FOR PLAINTIFF
THE CITY OF FORT COLLINS
COLORADO**

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of October, 2020, a true and correct copy of the foregoing was filed with the Court and served via Colorado Courts E-Filing System to the following email addresses:

Todd G. Messenger, Esq.
tmessenger@fwlaw.com

Andrew J. Helm, Esq.
ahelm@fwlaw.com

Jeannine S. Haag, Esq.
haagjs@co.larimer.co.us

William G. Ressue, Esq.
wressue@larimer.org

Frank N. Haug, Esq.
haugfn@co.larimer.co.us

and sent the foregoing via email to the following client representative:

Carrie Daggett, Esq.
City Attorney

/s/ Nicole Marion _____
Nicole Marion
of HALL & EVANS, L.L.C.,