

DISTRICT COURT, COUNTY OF LARIMER,  
COLORADO

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

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

v.

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

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Case Number: 2020CV030580

Division: 4B

**UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE OPENING BRIEF**  
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 Unopposed Motion for Extension of Time to File Opening Brief, 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, Todd Messenger, Esq., indicated StreetMediaGroup, LLC also does not oppose this Motion.

2. Pursuant to this Court's Briefing Schedule the Plaintiff's Opening Brief is due on or before January 11, 2021. Plaintiff respectfully requests an extension of 11 days until and including January 22, 2021, to file its Opening Brief in this matter.

3. The undersigned counsel, Andrew D. Ringel, Esq., as the primary responsibility for drafting the Opening Brief in this matter. Due to the nature of the arguments to be made in the Opening Brief, review and analysis of the extensive certified record is required as part of the preparation of the Opening Brief. Moreover, the undersigned counsel took some time off for the holidays at the end of the year. Further, the undersigned counsel requires some additional time to complete the Opening Brief in this matter due to the extraordinary press of business respecting the following other commitments:

a. The undersigned counsel previously had, has, and will have the following other commitments in the past 45 days and the next 30 days: (i) a total of three depositions in December 2020 along with associated preparation time; (ii) a total of eight depositions scheduled in January

2021 with associated preparation time; (iii) two all day mediations in December 2020; (iv) one all-day mediation scheduled in January 2021; (iv) an Amicus Curiae Brief filed with the Colorado Court of Appeals on December 15, 2020, in Aurora Urban Renewal Authority et. al. v. PK Kaiser et. al., Colorado Court of Appeals, Case No. 2020CA1162; (v) a Motion for Summary Judgment in Jeanne J. Burks v. SCL Health, District Court, City and County of Denver, Colorado, Case No. 2020CV31040, due January 4, 2021; (vi) a Reply in Support of Motion to Dismiss in Donna Walter et. al. v. Governor Jared Polis et. al., United States District Court for the District of Colorado, Civil Action No. 20-cv-02192-RBJ, due January 11, 2021; (vii) oral argument on a Motion to Compel in Jeanne J. Burks v. SCL Health, District Court, City and County of Denver, Colorado, Case No. 2020CV31040, on January 14, 2021; and (viii) preparations and required submissions for a Trial Preparation Conference on January 29, 2021, in Jessica Peck v. Michelle Barnes, in her official capacity as Executive Director of the Colorado Department of Human Services, et. al., United States District Court for the District of Colorado, Civil Action No. 19-cv-03450-RBJ.

b. The undersigned counsel is also actively involved in a variety of other different matters and faces multiple additional deadlines throughout December 2020 and January 2021.

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 eleven (11) days until and including January 22, 2021, to file its Opening Brief, and for all other and further relief as this Court deems just and appropriate.

Dated this 6th day of January, 2021.

Respectfully submitted,

/s/ Andrew D. Ringel

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

**CERTIFICATE OF SERVICE**

I hereby certify that on this 6<sup>th</sup> day of January, 2021, 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](mailto:tmessenger@fwlaw.com)

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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.,