

DISTRICT COURT, COUNTY OF LARIMER, STATE OF COLORADO Larimer County Justice Center 201 Laporte Avenue, Suite 100 Fort Collins, CO 80521-2762 Telephone: (970) 498-6100	DATE FILED: February 25, 2021 6:03 PM FILING ID: B2A3141BBF561 CASE NUMBER: 2020CV30580
Plaintiff: THE CITY OF FORT COLLINS, COLORADO, a municipal corporation, v. Defendants: BOARD OF COUNTY COMMISSIONERS OF LARIMER COUNTY, COLORADO; STREETMEDIAGROUP, LLC	▲ COURT USE ONLY ▲
Attorneys for Defendant, StreetMediaGroup, LLC: Todd G. Messenger, Reg. No. 38783 Amanda C. Jokerst, Reg. No. 47241 (?) FAIRFIELD AND WOODS, P.C. 1801 California Street, Suite 2600 Denver, CO 80202 Telephone: (303) 830-2400 Facsimile: (303) 830-1033 E-Mail: tmessenger@fwlaw.com; ajokerst@fwlaw.com	Case Number: 2020CV030580 Division: 4B
DEFENDANT STREETMEDIAGROUP, LLC'S UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE RESPONSE BRIEF	

Defendant StreetMediaGroup, LLC (“StreetMedia”), through its undersigned counsel, Fairfield and Woods, P.C., respectfully submits this Unopposed Motion for Extension of Time to file Response Brief, as follows:

1. Certificate of Conferral: Pursuant to C.R.C.P. 121, prior to filing this Motion, the undersigned counsel conferred with Counsel for the Plaintiffs by email and Counsel for Defendant Larimer County Board of County Commissioners by telephone on February 25, 2021.
2. Pursuant to this Court’s Briefing Schedule, the Defendants’ Response Briefs are due 35 days after the Plaintiff’s Opening Brief is filed. Plaintiff’s Opening Brief was filed on

January 22, 2021. As such, Defendant's Response Brief is due February 26, 2021.

3. The undersigned counsel, Todd Messenger, Esq., is principally responsible for drafting the Response Brief in this matter. Mr. Messenger has been working diligently in preparing StreetMedia's response to the complex arguments made by the Plaintiff, and to address the complex and unusual legal framework of the case.

4. The undersigned cleared a large part of this week to work on the Response Brief, minimizing meetings and other scheduled events. On February 24, 2021, Fairfield and Woods' remote desktop server failed and required several hours to bring back online. This materially affected productivity, as it cut off the undersigned's access to files and resources related to this case. After the system was restored on February 24, 2021 it failed again on February 25, 2021. Again, all access to files and resources were cut off.

5. The undersigned conferred with the firm's information technology consultant ("IT Consultant"), and was advised that it is not yet clear what is causing the interruptions. It is also not clear whether any work will be lost. The IT Consultant advised that the undersigned should seek extension in all litigation matters, in an abundance of caution.

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

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

8. For the Court's convenience a proposed order is filed herewith.

WHEREFORE, for all the foregoing reasons, Defendant StreetMediaGroup, LLC respectfully requests that this Court grant it an extension of five calendar days, until and including

Wednesday, March 3, 2021, to file its Response Brief, and for all other and further relief as this Court deems just and appropriate.

DATED this 25th day of February, 2021.

FAIRFIELD AND WOODS, P.C.

s/ Todd G. Messenger

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CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of February, 2021, I filed the foregoing with the Clerk of the Court using Colorado Courts E-Filing. I further certify that a copy of the foregoing was sent via Colorado Courts E-Filing to the following:

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Courtesy Email to Client Representatives:
Gary Young and Troy Hammond

s/ Sharon Y. Meyer

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