

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 1:09-cv-02802-REB- MEH

JEREMY C. MYERS; and WESTERN SALVAGE LTD.,

Plaintiffs,

v.

BRIAN KOOPMAN, Detective in the Loveland, Colorado Police Department in his official and individual capacity;

LUKE HECKER, Chief of Loveland Police Department, in his official and individual capacity;

DENNIS V. HARRISON, Chief of the Fort Collins Police Department, in his official and individual capacity;

JAMES A. ALDERDEN, Sheriff of Larimer County, Colorado, in his official and individual capacity;

CITY OF LOVELAND, a Colorado municipality;

CITY OF FORT COLLINS, Colorado, a municipality;

LARIMER COUNTY, a County, by and through the

LARIMER COUNTY BOARD OF COUNTY COMMISSIONERS;

LARRY ABRAHAMSON, District Attorney of the Eighth Judicial District in his official capacity; and

EIGHTH JUDICIAL DISTRICT OF COLORADO, a political subdivision of the State of Colorado.

Defendants.

DEFENDANTS KOOPMAN AND HECKER'S UNOPPOSED MOTION FOR LEAVE TO FILE REPLY BRIEF IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT BASED UPON QUALIFIED IMMUNITY EXCEEDING PAGE LIMITATIONS

D.C.Colo.L.CivR 7.1A CERTIFICATE OF COMPLIANCE

Counsel for the Defendants Koopman and Hecker certifies that he has conferred with counsel for Plaintiffs pursuant to D.C.Colo.L.CivR 7.1A. Plaintiffs do not oppose this Motion. Likewise, co-defendants do not oppose this Motion.

Defendants Brian Koopman and Luke Hecker, in their individual capacities, move the Court to allow them to file a reply brief in support of their Motion for Summary Judgment Based Upon Qualified Immunity which exceeds the page limitations set forth in REB Civ. Practice Standard V.I.4, which states that reply briefs filed pursuant to Fed.R.Civ.P. 56 shall not exceed ten (10) pages. In support hereof, movants state to the Court as follows:

1. Defendants Koopman and Hecker have filed a Motion for Summary Judgment Based Upon Qualified Immunity (Docket #56, filed 04/29/2010). Plaintiffs have filed a responsive opposition brief (Docket #64, filed 05/20/2010).

2. The Plaintiffs' 30-page Complaint containing five claims for relief sets forth numerous alleged Fourth and Fourteenth Amendment violations and an extensive set of underlying facts. Due to the sheer number of alleged constitutional violations addressed in the motion and Plaintiffs' responsive opposition brief, movants request leave to file a reply brief 15 pages in length, exclusive of the certificate of service, in order to fully and adequately address and inform the Court, in reply to Plaintiffs' response brief, as to why movants are entitled to summary judgment based upon qualified immunity notwithstanding Plaintiffs' opposition.

WHEREFORE, Defendants Koopman and Hecker respectfully move the Court enter an order allowing these Defendants to exceed the ten page limitation with respect to their reply brief in support of Motion for Summary Judgment Based Upon Qualified Immunity.

DATED the 1st day of June, 2010.

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CERTIFICATE OF SERVICE

I hereby certify that on June 1, 2010, I electronically filed the foregoing **DEFENDANTS KOOPMAN AND HECKER'S UNOPPOSED MOTION FOR LEAVE TO FILE REPLY BRIEF IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT BASED UPON QUALIFIED IMMUNITY EXCEEDING PAGE LIMITATIONS** with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following e-mail addresses:

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