

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

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

JEREMY C. MYERS,

Plaintiff,

v.

BRIAN KOOPMAN, Detective in the Loveland, Colorado Police department, in his individual capacity;  
CITY OF LOVELAND, Colorado, a municipality;

Defendants.

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**PLAINTIFFS' RESPONSE TO DEFENDANT'S  
MOTION FOR LEAVE TO SUPPLEMENT RESPONSE  
(DOCKET #159, FILED 08/16/2011)**

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**COMES NOW** Plaintiff, by and through his attorney, Randall R. Meyers, and respectfully request this Court deny Defendant Koopman's Motion for Leave to Supplement Response (CM/ECF Docket # 159, filed 08/16/2011). For his Response, Plaintiff states as follows:

1. Plaintiff opposes the request for leave to supplement as being untimely and superfluous.
2. At the time Defendant filed his Response to Plaintiff's Motion to Certify as Frivolous, he was already and certainly aware, that he would be filing an appeal to the District Court's Order. In fact, his Response incorporates the same argument and case authority he subsequently included in his Opening Brief.

3. Notwithstanding his ingenuous effort to present the Brief to the Court by including it as an unnecessary exhibit to his Motion for Leave, Plaintiff maintains the effort is unnecessary, does not materially aid the Court in resolving the issue before it and, as such, wastes Plaintiff's and the Court's time.

WHEREFORE, Plaintiff respectfully requests the Court deny Defendants' Motion, and for any further relief the Court deems just and proper.

DATED the 19<sup>th</sup> day of August, 2011.

RANDALL R. MEYERS:

s/ Randall Meyers  
Randall R. Meyers  
Law Office of Randall R. Meyers  
315 W. Oak St., Suite 100  
Fort Collins, Colorado 80525  
970-472-0140  
Attorney for Plaintiffs

**CERTIFICATE OF SERVICE (CM/ECF)**

I hereby certify that on this 19<sup>th</sup> day of August, 2011, I electronically filed the foregoing PLAINTIFFS' RESPONSE TO DEFENDANT'S MOTION FOR LEAVE TO SUPPLEMENT RESPONSE with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following e-mail addresses:

**Attorneys for Defendant Brian Koopman:**

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And I hereby certify that I have mailed or served the document or paper to the following non CM/ECF participants in the manner indicated by the non-participants name:

N/A

s/ Randall R. Meyers  
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**Attorney for Plaintiff Jeremy C. Myers**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Robert E. Blackburn

Civil Case No. 09-cv-02802-REB-MEH

JEREMY C. MYERS, and  
GREAT WESTERN SALVAGE LTD.

Plaintiffs,

v.

BRIAN KOOPMAN,

Defendant.

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MINUTE ORDER<sup>1</sup>

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The matter before the court is Defendant's Motion For Leave To Supplement Response To Plaintiff's Motion To Certify Defendant's Appeal as Frivolous and Forfeited [#159]<sup>2</sup> filed August 16, 2011. The motion is DENIED. Permitting the defendant to supplement his response by incorporating his brief filed with the United States Court of Appeals for the Tenth Circuit would, in effect, cause the defendant's response to consist of approximately 30 pages of legal argument, far in excess of this court's standard page limitation for such a response. REB Civ. Practice Standard V.B. The defendant has not shown good cause for such an expansion of the page limitation.

Dated: August 22, 2011

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<sup>1</sup>This minute order is issued pursuant to the express authority of the Honorable Robert E. Blackburn, United States District Judge for the District of Colorado.

<sup>2</sup>"[#159]" is an example of the convention I use to identify the docket number assigned to a specific paper by the court's electronic case filing and management system (CM/ECF). I use this convention throughout this order.