

COLORADO COURT OF APPEALS 2 East 14 <sup>th</sup> Ave., Denver, CO 80203	
Appeal from Larimer County District Court The Honorable Gregory M. Lammons Case Number: 2013cv31385	
<b>Appellant:</b>  <b>City of Fort Collins, Colorado</b> <b>v.</b>  <b>Appellee:</b>  <b>Colorado Oil &amp; Gas Association</b>	<b>▲ COURT USE ONLY ▲</b>
Attorneys for Appellee Colorado Oil & Gas Association:  Name(s):   Mark Mathews, #23749 Wayne F. Forman, #14082 Michael D. Hoke, #41034 Address:   Brownstein Hyatt Farber Schreck, LLP 410 Seventeenth Street, Suite 2200 Denver, CO 80202-4432  Phone Number:   303.223.1100 FAX Number:     303.223.1111 E-mail:           mmathews@bhfs.com wforman@bhfs.com mhoke@bhfs.com	Case No: 2014CA1991
<p style="text-align: center;"><b>APPELLEE COLORADO OIL &amp; GAS ASSOCIATION’S UNOPOSED MOTION FOR ENLARGEMENT OF TIME TO FILE RESPONSE TO MOTION TO INTERVENE</b></p>	

Pursuant to C.A.R. 26(b), Appellee Colorado Oil & Gas Association (“COGA”), by and through its undersigned counsel, respectfully requests an

enlargement of time, up to and including December 5, 2014, in which to respond to the Motion to Intervene and Notice of Appeal filed by the Citizens for a Healthy Fort Collins, Sierra Club, and Earthworks (collectively, “Citizens”).

As grounds for this motion, COGA states as follows:

1. On November 5, 2014, Citizens filed their Notice of Appeal and Motion to Intervene in this pending appeal. Pursuant to C.A.R. 27(a), COGA’s responsive brief would be due within 7 days, or by November 12, 2014.

2. COGA’s counsel require an enlargement of time until December 5, 2014, in which to prepare an adequate response to Citizens’ Motion to Intervene. Counsel for COGA has conferred with counsel for Citizens, who does not object to this requested extension.

3. The reason for the requested extension is that COGA’s counsel must attend to other substantial obligations that will prevent them from preparing a timely response. These obligations include the need to review more than 200,000 documents recently produced in an unrelated matter and the need to prepare for and travel to out-of-state depositions during the next two weeks. In addition, counsel is also preparing exhibits, witnesses and rebuttal expert reports for an impending trial in another case. For these reasons, in addition to the absence of counsel during the Thanksgiving holiday, COGA’s counsel requests additional time to respond to the Motion to Intervene.

4. The requested enlargement of time will not unduly delay this matter, or prejudice any party or Citizens, as the record in this appeal is not due to be certified from the trial court until January 5, 2014.

WHEREFORE, for just cause shown, COGA respectfully requests an enlargement of time up to and including December 5, 2014, in which to respond to Citizens' Motion to Intervene and Notice of Appeal.

Dated: November 6, 2014.

BROWNSTEIN HYATT FARBER  
SCHRECK, LLP

By: /s/ Mark Mathews  
Mark Mathews, #23749  
Wayne F. Forman, #14082  
Michael D. Hoke, #41034

ATTORNEYS FOR APPELLEE COLORADO  
OIL & GAS ASSOCIATION

**CERTIFICATE OF SERVICE**

I certify that on November 6, 2014, I electronically filed a true and correct copy of the foregoing **APPELLEE COLORADO OIL & GAS ASSOCIATION'S UNOPPOSED MOTION FOR ENLARGEMENT OF TIME TO FILE RESPONSE TO MOTION TO INTERVENE** with the Clerk of Court via the Colorado ICCES program which will send notification of such filing and service upon the following counsel of record:

Barbara J.B. Green  
John T. Sullivan  
SULLIVAN GREEN SEAVY, LLC  
3223 Arapahoe Avenue  
Suite 300  
Boulder, CO 80303  
E-mail:  
barbara@sullivangreenseavy.com  
john@sullivangreenseavy.com

Carrie M. Daggett  
John R. Duval  
Fort Collins City Attorney's Office  
300 La Porte Avenue  
P.O. Box 580  
Fort Collins, CO 80522-0580  
E-mail: cdaggett@fcgov.com  
jduval@fcgov.com

*Attorneys for Appellant City of Fort Collins*

Kevin Lynch  
Brad Bartlett  
Nicolas Rising, LaRona Mondt, Christopher Brummitt (Student Attorneys)  
2255 E. Evans Avenue  
Suite 335  
Denver, CO 80208  
E-mail: [klynch@law.du.edu](mailto:klynch@law.du.edu)

*Attorneys for Citizens for a Healthy Fort Collins, Sierra Club, and Earthworks*

/s/ Paulette M. Chesson  
Paulette M. Chesson, Paralegal

011520\0007\11688688.1