

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 15-cv-0281-WJM-KMT

ABBY LANDOW,
JEFFREY ALAN,
SUSAN WYMER,
LAWRENCE BEALL,
GREENPEACE INC., and
NANCY YORK,
Plaintiffs

v.

CITY OF FORT COLLINS,
Defendant.

***UNOPPOSED MOTION FOR LEAVE TO EXCEED PAGE LIMITS RELATED TO
DEFENDANT'S RESPONSE TO PLAINTIFFS' MOTION FOR TEMPORARY
RESTRAINING ORDER AND PRELIMINARY INJUNCTION***

Defendant, by and through its attorneys, J. Andrew Nathan and Heidi J. Hugdahl of Nathan, Bremer, Dumm & Myers P.C., hereby submits its *Unopposed Motion for Leave to Exceed Page Limits Related to Defendant's Response to Plaintiffs' Motion for Temporary Restraining Order and Preliminary Injunction*:

CERTIFICATION PURSUANT TO D.C.COLO.L.CivR 7.1(A)

Undersigned counsel conferred with counsel for Plaintiffs, Mark Silverstein, Esq., who stated that he has no objection to the relief requested herein.

1. Plaintiffs filed their *Motion for Temporary Restraining Order* and *Motion for Preliminary Injunction*.
2. On February 11, 2015, this Court denied Plaintiffs' Motion for a Temporary

Restraining Order, issued an expedited briefing schedule and set the matter for a Preliminary Injunction Hearing on March 2, 2015.

3. When Plaintiffs filed their motion, this matter had not yet been assigned to a Judge.

4. Plaintiffs' motion was thirty-five (35) pages long with extensive constitutional arguments relying on authority from thirty cases and various Colorado statutes.

5. Plaintiffs address a number of constitutional arguments which require detailed analysis of First Amendment precepts. What is more, the constitutional arguments which have been raised are nuanced and complex and based on legal authority from the United States Supreme Court and a variety of Circuit and District Courts. Given the breadth of the arguments raised by Plaintiffs, including multiple challenges to the Ordinance at issue, Defendant believes that additional pages (beyond the fifteen (15) pages allotted) will be necessitated in order to thoroughly address the arguments raised.

WHEREFORE, based on the foregoing, Defendant respectfully requests leave to exceed this Court's Practice Standards (related to page numbers) and to file its response not to exceed thirty (30) pages and for such other and relief as this Court deems just and proper in the premises.

Respectfully submitted this 13th day of February, 2015.

s/ J. Andrew Nathan

J. Andrew Nathan

s/ Heidi J. Hugdahl

Heidi J. Hugdahl

NATHAN, BREMER, DUMM & MYERS, P.C.

7900 E. Union Avenue, Suite 600
Denver, CO 80237-2776
Phone Number: (303) 691-3737
Fax: (303) 757-5106
Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of February, 2015, I electronically filed the foregoing ***UNOPPOSED MOTION FOR LEAVE TO EXCEED PAGE LIMITS RELATED TO DEFENDANT'S RESPONSE TO PLAINTIFFS' MOTION FOR TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION*** with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following at their e-mail addresses:.

Hugh Q. Gottschalk (#9750)
Thomas A. Olsen (#43709)
Wheeler Trigg O'Donnell LLP
370 Seventeenth Street, Suite 4500
Denver, CO 80202-5647
Email: Gottschalk@wtotrial.com
olsen@wtotrial.com

Mark Silverstein (#26979)
Rebecca T. Wallace (#39606)
American Civil Liberties Union Foundation of Colorado
303 E. 17th Ave., Suite 350
Denver, CO 80203
Email: msilverstein@aclu-co.org
rtwallace@aclu0co.org

A. Elise Herding, Paralegal
NATHAN, BREMER, DUMM & MYERS, P.C.