

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 1:15-cv-00281-WJM-KMT

ABBY LANDOW,
JEFFREY ALAN,
SUSAN WYMER,
LAWRENCE BEAL,

individually and on behalf of
others similarly situated,

GREENPEACE, INC.,
NANCY YORK,

Plaintiffs,

v.

CITY OF FORT COLLINS,

Defendant.

**UNOPPOSED SECOND MOTION TO RESET
PRELIMINARY INJUNCTION HEARING DATE**

Plaintiffs, through their undersigned attorneys, hereby submit this Second Unopposed Motion to Reset Preliminary Injunction Hearing Date, as follows:

1. Pursuant to D.C.Colo.L.Civ.R. 7.1(a), counsel for Plaintiffs certifies that he conferred with Ms. Hugdahl, counsel for Defendant, concerning the relief requested herein. Defendant does not oppose the relief requested herein.

2. Pursuant to D.C.Colo.LCivR 6.1(c), on March 10, 2015, counsel for Plaintiffs contemporaneously served this Motion upon Plaintiffs Abby Landow, Jeffrey Alan, Susan Wymer, Lawrence Beal, Greenpeace, Inc., and Nancy York by placing copies of this Motion in envelopes addressed to Plaintiffs' mailing addresses, and

placing the envelopes, with postage affixed, into the United States mail. Plaintiffs' counsel also served this Motion upon Plaintiffs electronically by sending to their e-mail addresses.

3. On March 9, 2015, the Court ordered the Preliminary Injunction hearing in this matter to be reset for Friday, March 13, 2015, at 1:00 p.m. [Dkt. 33.]

4. Due to previously scheduled commitments in other matters, counsel for Plaintiffs is unavailable to attend the hearing on March 13, 2015.

5. Plaintiffs are cognizant of the fact that they requested this hearing, and that time is of the essence. To that end, a staff member from Wheeler Trigg O'Donnell spoke with Judge Martinez's clerk concerning other potential dates available for this hearing. Plaintiffs understand that Judge Martinez is slated to begin an eight-day trial commencing on March 16, 2015. Upon further discussion with Ms. Hugdahl, Plaintiffs request that the hearing be reset for March 27, 2015. Ms. Hugdahl stated during conferral that Defendant is available on and amenable to that date.

WHEREFORE, Plaintiffs request that the Preliminary Injunction hearing, currently scheduled for Friday, March 13, 2015, be rescheduled for March 27, 2015.

Dated: March 10, 2015

Respectfully submitted,

/s/ Thomas A. Olsen

Hugh Q. Gottschalk
Thomas A. Olsen
Wheeler Trigg O'Donnell LLP
370 Seventeenth Street, Suite 4500
Denver, CO 80202-5647
Telephone: 303.244.1800
Facsimile: 303.244.1879
Email: gottschalk@wtotrial.com
olsen@wtotrial.com

*In cooperation with the ACLU Foundation of
Colorado*

Mark Silverstein
Rebecca T. Wallace
Sara R. Neel
American Civil Liberties Union Foundation of
Colorado
303 E. 17th Ave., Suite 350
Denver, CO 80203
Telephone: 720.402.3114
Facsimile: 303.777.1773
Email: msilverstein@aclu-co.org
rtwallace@aclu-co.org
sneel@aclu-co.org

*Attorneys for Plaintiffs Abby Landow, Jeffrey
Alan, Susan Wymer, Lawrence Beal,
Greenpeace, Inc., and Nancy York*

CERTIFICATE OF SERVICE (CM/ECF)

I hereby certify that on March 10, 2015, I electronically filed the foregoing **UNOPPOSED SEOND MOTION TO RESET PRELIMINARY INJUNCTION HEARING DATE** with the Clerk of Court using the CM/ECF system, which will send notification of the same via email to the following:

Heidi J. Hugdahl hhugdahl@nbdmlaw.com, kbrowning@nbdmlaw.com,
nmcilvenna@nbdmlaw.com

Hugh Q. Gottschalk gottschalk@wtotrial.com, egan@wtotrial.com,
gottesfeld@wtotrial.com

J. Andrew Nathan anathan@nbdmlaw.com, eherding@nbdmlaw.com,
kbrowning@nbdmlaw.com

John R. Duval jduval@fcgov.com, calton@fcgov.com, tschmitz@fcgov.com

Mark Silverstein msilverstein@aclu-co.org, jhoward@aclu-co.org

Rebecca Teitelbaum Wallace rtwallace@aclu-co.org, jhoward@aclu-co.org

Sara R. Neel sneel@aclu-co.org, jhoward@aclu-co.org

Thomas Austin Olsen olsen@wtotrial.com, farina@wtotrial.com

/s/ Thomas A. Olsen by Donna Simonsen