

<p>DISTRICT COURT, DENVER COUNTY, COLORADO Denver City and County Building 1437 Bannock St. Denver, Colorado 80202</p>	
<p>Plaintiffs: ANTHONY LOBATO, et al. and Plaintiff-Intervenors: ARMANDINA ORTEGA, et al. v. Defendants: THE STATE OF COLORADO, et al.</p>	
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**PLAINTIFFS' UNOPPOSED MOTION FOR EXTENSION OF TIME TO
FILE REPLY IN SUPPORT OF THEIR MOTION TO STRIKE
AFFIRMATIVE DEFENSES**

Pursuant to Colorado Rules of Civil Procedure 6(b), Plaintiffs Anthony Lobato, *et al.* ("Plaintiffs") hereby request a 9-day extension of time, to and including November 24, 2010, to file their reply in support of Plaintiff's Motion to Strike Defendants' Second, Third, and Fourth Affirmative Defenses and Request for Oral Argument. In support thereof, Plaintiffs state as follows:

1. **C.R.C.P. 121 §§ 1-11, 1-15 Certification:** Undersigned counsel has in good faith conferred with counsel for Plaintiff-Intervenors and counsel for Defendants. Counsel for Plaintiff-Intervenors and counsel Defendants each state that their clients do not oppose the requested extension of time. A copy of this motion is being served on Plaintiffs.
2. Defendants filed their Combined Response to Plaintiffs' and Plaintiff-Intervenors' Motions to Strike Affirmative Defenses on November 2, 2010. Defendants previously sought and obtained an unopposed request for extension of time to file their response.
3. Plaintiffs' reply brief is currently due November 15, 2010.
4. Plaintiffs require additional time to prepare their reply brief due to conflicting obligations of Plaintiffs' counsel, including extensive discovery obligations and deadlines in this action. The requested 9-day extension of time will allow counsel adequate time to prepare their

reply brief and confer with their clients while not prejudicing any party or materially delaying this action.

WHEREFORE, Plaintiffs request that the Court grant Plaintiffs' request for a 9-day extension of time and order that Plaintiffs have to and including November 24, 2010 to file their Reply in Support of Plaintiff's Motion to Strike Defendants' Second, Third, and Fourth Affirmative Defenses and Request for Oral Argument.

Dated: November 11, 2010

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/s/ Terry R. Miller

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The original, executed document is on file at the offices of Davis Graham & Stubbs LLP.

CERTIFICATE OF SERVICE

The undersigned certifies that on the 11th day of November 2010, a true and correct copy of the foregoing **PLAINTIFFS' UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE REPLY IN SUPPORT OF THEIR MOTION TO STRIKE AFFIRMATIVE DEFENSES** was served via LexisNexis® File & Serve, addressed to the following:

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