

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-01300-MSK-MJW

JOHN B. COOKE, Sheriff of Weld County, Colorado, *et al.*

Plaintiffs,

v.

JOHN W. HICKENLOOPER, Governor of the State of Colorado,

Defendant.

**GOVERNOR'S UNOPPOSED MOTION TO AMEND SCHEDULING
ORDER WITH RESPECT TO DEADLINE FOR REBUTTAL EXPERT
REPORTS**

Defendant, Governor John Hickenlooper, by and through undersigned counsel, respectfully requests that the Court amend the scheduling order [Docs. 36 and 44] as follows:

1. *Duty to confer:* Undersigned counsel has conferred with counsel for Plaintiffs regarding this motion. It is unopposed.
2. The Scheduling Order currently requires disclosure of expert rebuttal reports on or before September 3, 2013. (Doc. 36, p. 14, Doc. 44, p.3.)
3. Counsel for the Governor have been working diligently with retained and prospective experts to review Plaintiffs' expert reports and additional data that have been provided by Plaintiffs in response to the Governor's discovery requests.

4. The Governor's expert rebuttal reports will incorporate and rely upon information provided by the Plaintiff sheriffs in response to the Governor's discovery requests. However, the written discovery responses are ongoing.

5. An extension of time for expert rebuttal reports to **September 13, 2013**, should allow sufficient time for the Governor's rebuttal experts to review, compile, and analyze the Plaintiff sheriffs' discovery responses.

6. No other extensions are requested at this time.

WHEREFORE, the Governor respectfully requests that the Court amend the Scheduling Order by extending the deadline for the exchange of expert rebuttal reports from September 3, 2013, to **September 13, 2013**.

Respectfully submitted this 27th day of August, 2013.

Respectfully submitted,

JOHN W. SUTHERS
Attorney General

s/ Jonathan P. Fero

Daniel D. Domenico*

Solicitor General

David C. Blake*

Deputy Attorney General

Jonathan P. Fero*

Assistant Solicitor General

Kathleen Spalding*

Senior Assistant Attorney General

Matthew D. Grove*

Assistant Attorney General

*Counsel of Record

John T. Lee*

Assistant Attorney General

*Counsel of Record

Attorneys for Governor John W.

Hickenlooper

1300 Broadway, 10th floor

Denver, Colorado 80203

Telephone: 720-508-6000

*Counsel of Record

CERTIFICATE OF SERVICE

I hereby certify that on August 27th, 2013 I served a true and complete copy of the foregoing GOVERNOR'S UNOPPOSED MOTION TO AMEND SCHEDULING ORDER WITH RESPECT TO DEADLINE FOR EXPERT REBUTTAL REPORTS upon all counsel of record listed below via the CM/ECF system for the United States District Court for the District of Colorado:

David B. Kopel

david@i2i.org

Jonathan M. Anderson

jmanderson@hollandhart.com

Richard A. Westfall

rwestfall@halewestfall.com

Peter J. Krumholz

pkrumholz@halewestfall.com

Marc F. Colin

mcolin@brunolawyers.com

Jonathan Watson

jwtatson@brunolawyers.com

Anthony J. Fabian

fabianlaw@qwestoffice.net

s/ Debbie Bendell
