

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

Civil Action No. 1:23-cv-01351-RMR-STV

GRCO LLC, a Missouri limited liability company,

Plaintiff,

v.

GRANBY RANCH METROPOLITAN DISTRICT, a quasi-municipal corporation and political subdivision of the State of Colorado,

Defendant.

**PLAINTIFF’S UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE
RESPONSE TO MOTION TO DISMISS AMENDED COMPLAINT**

Under D.C.COLO.LCIVR 6.1(a), Plaintiff, GRCO LLC, requests a 14-day extension of time, up to and including September 1, 2023, to file its Response to Defendant Granby Ranch Metropolitan District’s (“District”) Motion to Dismiss Amended Complaint:

1. Under D.C.OLO.LivR 7.1(a), undersigned counsel has conferred with counsel for the District regarding this motion. The District does not object to the extension.
2. Plaintiff filed a nine-count complaint challenging the District’s collection and use of a capital facility fee imposed upon property owners within the District as a condition to the receipt of a building permit. The District filed its Motion to Dismiss Plaintiff’s Amended Complaint (the “Motion”) on July 28, 2023. *Docket No. 19.*
3. Plaintiff’s response date to the Motion is currently August 18, 2023.

4. Also on July 28, 2023, the District filed a Motion to Stay. *Docket No. 20*. A hearing on the Motion to Stay is scheduled for August 23, 2023, at 10:15 a.m. before Magistrate Judge Varholak.

5. Plaintiff has good cause to seek a two-week extension to file its Response, namely the Court issued an expedited briefing schedule for the District's Motion to Stay which required Plaintiff to focus on its response to that motion. In addition, the Motion seeks dismissal of nine different counts in Plaintiff's petition, claims that seek declaratory relief and damages for various alleged violations of Colorado law, Colorado statute, and the United States Constitution. The Motion challenges different aspects of the nine claims and raises complex issues relating to the sufficiency of Plaintiff's due process claims under the Fifth Amendment and the timeliness of the different claims. Plaintiff is seeking additional time to ensure that it has adequate time to respond to all issues raised in the Motion. Further, undersigned counsel, Andrew Glenn, was traveling during the week of July 31, 2023, with limited internet access.

6. Plaintiff has not previously sought an extension of time to file its Response. A trial date has not been set and no other deadlines will be impacted by this requested two-week extension for the Response.

7. As referenced in the Certificate of Service, Plaintiff's representative has been served with a copy of this motion.

WHEREFORE, Plaintiff respectfully requests this Court grant it a two-week extension of time, up to and including September 1, 2023, to file its Response to Defendant's Motion to Dismiss Amended Complaint.

Respectfully submitted this 14th day of August, 2023.

HUSCH BLACKWELL LLP

By: /s/ Andrew K. Glenn

Andrew K. Glenn
1801 Wewatta St., Suite 1000
Denver, CO 80202
Tel: 303-749-7200
Fax: 303-749-7272
Andrew.Glenn@huschblackwell.com

JoAnn T. Sandifer
8001 Forsyth Blvd., Suite 1500
St. Louis, MO 63105
Tel: 314-480-1833
Fax: 314-480-1505
JoAnn.Sandifer@huschblackwell.com

Attorneys for Plaintiff GRCO LLC

CERTIFICATE OF SERVICE

I hereby certify that on the August 14, 2023, I electronically filed the foregoing, **PLAINTIFF’S UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO MOTION TO DISMISS AMENDED COMPLAINT** with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

William T. O’Connell, III
Saugat K. Thapa
1700 Broadway, Suite 900
Denver, CO 80290
Tel: (303) 830-1212
woconnell@warllc.com;
sthapa@warllc.com
Attorneys for Defendant

And via email to:

Robert B. Glarner, Jr.
GRCO LLC
Bob@stlglarners.com

/s/ Jennifer Andrade
Legal Support Team Specialist

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**ORDER GRANTING PLAINTIFF'S UNOPPOSED MOTION FOR EXTENSION OF
TIME TO FILE RESPONSE TO MOTION TO DISMISS AMENDED COMPLAINT**

THIS MATTER having become before the Court on Plaintiff GRCO LLC's Motion for Extension of Time to File Response to Motion to Dismiss Amended Complaint, the Court, having reviewed the motion and the file and being fully advised:

ORDERS that Plaintiff GRCO LLC's Motion for Extension of Time to File Response to Motion to Dismiss Amended Complaint is GRANTED. Plaintiff GRCO LLC has up to and including September 1, 2023 to file its response to the motion to dismiss amended complaint.

DATED this ____ day of _____, 2023.

BY THE COURT:
