

DISTRICT COURT, COSTILLA COUNTY, COLORADO 304 Main Street P.O. Box 301 San Luis, CO 81152	DATE FILED: December 16, 2021 11:14 AM FILING ID: C67E8A9FD3ABD CASE NUMBER: 1981CV100005
<hr/> Plaintiffs: EUGENE LOBATO, et al. v. Defendants: ZACHARY TAYLOR, as executor of the estate of Jack Taylor, Jr., deceased, et al.	▼ COURT USE ONLY ▼
<hr/> ATTORNEYS FOR PLAINTIFFS Sarah B. Wallace, #31859 Chad Jimenez, #45136 Andrew Valencia, #54691 Alexia Chapman, #55365 Ballard Spahr LLP 1225 17th Street, Suite 2300 Denver, Colorado 80202-5596 Telephone: 303.292.2400 Facsimile: 303.296.3956 Email: wallaces@ballardspahr.com jimenezc@ballardspahr.com valenciaa@ballardspahr.com chapmana@ballardspahr.com	Case No. 81CV100005 Courtroom: A
UNOPPOSED MOTION FOR EXTENSION OF TIME TO PROPOSE STIPULATED GUIDELINES	

Plaintiffs Landowners for their Unopposed Motion for Extension of Time to Propose Stipulated Guidelines, state:

C.R.C.P. 121 § 1-15(8) CERTIFICATE OF CONFERRAL

Undersigned counsel certifies that she has conferred with counsel for Defendant Cielo Vista Ranch I, LLC, Jamie N. Cotter, regarding the extension requested in this Motion. Ms. Cotter does not oppose the requested extension up to and including January 28, 2022. Accordingly, this Motion is unopposed.

GROUND FOR EXTENSION

1. On September 28, 2021, the Court ordered counsel for Plaintiffs and Defendant to confer and stipulate to a list of guidelines consistent with the Court's findings following the 2-day hearing.

2. The Court initially gave counsel 90 days or until December 27, 2021, to confer and draft proposed stipulated guidelines.

3. On October 16, 2021, counsel for the Landowners traveled to San Luis for a community meeting to confer with the Landowners regarding proposed stipulated guidelines.

4. Over the next month, counsel worked with the Landowners to come up with proposed stipulations.

5. On November 17, 2021, counsel for the Landowners sent Defendant their proposed stipulations.

6. Counsel for Defendant responded on December 13, 2021, and agreed to stipulate to 3 out of the 51 proposed stipulations, rejecting 30 proposed stipulations outright. Defendant rewrote 18 stipulations, combining some stipulations and providing no redline detailing the proposed changes. Defendant proposed 15 new stipulations.

7. To date, the parties agree to 3 proposed stipulations with a total of 63 proposed stipulations that will require further analysis. Despite Defendant's rejection or revisions to nearly all the proposed stipulations and inclusion of additional stipulations in its response, Plaintiffs hope they will be able to make continued progress to build consensus if granted more time.

8. Given the holidays and difficulties with scheduling an additional in-person meeting with the Landowners, as well as the need for additional time to discuss any proposed

stipulations or modifications to existing stipulations following that meeting, Plaintiffs request an extension of approximately 1 month, up to and including January 28, 2022.

9. Plaintiffs have not previously requested an extension from the Court with respect to this matter.

10. Plaintiffs are seeking this extension in good faith and no party will be prejudiced as a result of this extension.

For the reasons set forth above, Plaintiffs respectfully request that the Court grant this motion and enter an order extending the deadline for the parties to draft proposed stipulated guidelines up to and including January 28, 2022.

Dated: December 16, 2021

Respectfully submitted,

By: /s/Sarah B. Wallace

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Attorneys for Plaintiffs Eugene Lobato, et al.

CERTIFICATE OF SERVICE

I hereby certify that on December 16, 2021, a true and correct copy of the foregoing **UNOPPOSED MOTION FOR EXTENSION OF TIME TO PROPOSE STIPULATED GUIDELINES** was electronically filed via Colorado Courts E-Filing and served on all parties of record.

/s/ Sherri Clark _____

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ORDER GRANTING UNOPPOSED MOTION FOR EXTENSION OF TIME TO PROPOSE STIPULATED GUIDELINES	

THIS MATTER is before the Court on the Unopposed Motion for Extension of Time to Propose Stipulated Guidelines (the “Motion”) filed by Plaintiffs Landowners. The Court has reviewed the Motion and the file and is otherwise advised. It is hereby:

ORDERED that the Plaintiffs’ MOTION is GRANTED;

IT IS FURTHER OREDERED that Plaintiffs and Defendant shall have up to and including January 28, 2022, to submit a proposed set of stipulated guidelines consistent with this Court’s Order on September 28, 2021.

DATED this ___ of December, 2021.

BY THE COURT:

 Honorable District Court Judge