

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 06-cv-02148-LTB-BNB

DARRELL FORTNER, and  
JENNIFER FORTNER, d/b/a Diamond/Dundee Tree Service,

Plaintiffs,

v.

ATF AGENTS DOG 1, CAT 2, AND HORSE 3 in their individual capacities,  
THE CITY OF COLORADO SPRINGS,  
MAYOR LIONEL RIVERA, individually and in his official capacity as Mayor of C/S,  
KATHY YOUNG, individually and in her official capacity as City Clerk of C/S,  
DARREL PEARSON, individually and in his official capacity as City Forrester of C/S,  
JAMES A. CHOATE, in his individual capacity as Sergeant for El Paso County Sheriff's Office,  
TERRY MAKETA, in his individual capacity as Sheriff of El Paso County, Colorado,  
SHANE WHITE, individually and in his official capacity as Asst. City Attorney for the City of  
Colorado Springs, Co., and  
JAMES E. MCGANNON, individually and in his official capacity as City Forrester for the City  
of Colorado Springs, CO,

Defendants.

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MINUTE ORDER

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**Minute Order Entered by Magistrate Judge Boyd N. Boland**

This matter is before the Court on the **Plaintiff's Motion to Amend Their Second Response to City Defendant's Second Motion for Summary Judgment** [docket no. 296, filed April 27, 2009] (the "Motion").

IT IS ORDERED that the Motion is GRANTED, and the Clerk of the Court is directed to accept the attachment to docket no. 296, the proposed Amended Second Response to City Defendant's Second Motion for Summary Judgment [docket no. 281] for filing.

DATED: April 30, 2009