

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

Civil Action No.: 07-CV-01485-JLK-BNB

VIDEO PROFESSOR, INC., a Colorado corporation,

Plaintiff,

v.

HARRY ("SKIP") E. MCGRATH, an individual,

Defendant.

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**UNOPPOSED MOTION FOR EXTENSION  
OF TIME TO FILE RESPONSIVE PLEADING**

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Defendant, Harry "Skip" E. McGrath, by his undersigned counsel, pursuant to D.C.Colo.LCivR 6.1(B), hereby requests a 20-day extension of time, through August 22, 2007, to respond to Plaintiff's Complaint. In support hereof, Defendant states as follows:

**Certification Pursuant to D.C.COLO.L.Civ.R. 7.1:** Counsel for Defendant hereby certifies that an attorney in his office has orally conferred with counsel for Plaintiff. Plaintiff does not oppose granting the relief requested herein.

1. Plaintiff's Complaint was filed on July 13, 2007, and served on Defendant on that date as well. Defendant's Answer or other responsive pleading was due to be served on August 2, 2007.

2. Defendant does not reside in Colorado, and has only recently retained counsel. In addition, the parties have been engaging in serious discussions in an effort to resolve their disputes, such that it may not be necessary for Defendant to respond formally to the Complaint.

3. Accordingly, Defendant requests that he be given an additional 20 days to file an Answer or to otherwise respond to the Complaint.

4. Plaintiff does not oppose granting the relief requested herein, and no party would be prejudiced by granting the relief requested, given the modest length of time that has been requested for the extension, and given that this case is in its infancy.

5. In accordance with Rule 6.1(d), Defendant is being served with a copy of this Motion.

**WHEREFORE**, Defendant respectfully requests an extension of time, to and including August 22, 2007, in which to file an Answer or to otherwise respond to the Complaint.

Respectfully submitted this 3<sup>rd</sup> day of August, 2007.

FOSTER GRAHAM MILSTEIN MILLER  
& CALISHER LLP

By: s/ Stephen A. Fermelia

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Attorney for Defendant Harry "Skip" S. McGrath

**CERTIFICATE OF SERVICE**

I hereby certify that on this 3<sup>rd</sup> day of August, 2007, I electronically filed the foregoing **UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE A RESPONSIVE PLEADING** with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the email address of the following attorney, and a copy of this Motion was also served via electronic mail upon Defendant:

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