

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-01546-REB-CBS

THE DIRECT MARKETING ASSOCIATION,

Plaintiff,

v.

ROXY HUBER, in her capacity as Executive Director,  
COLORADO DEPARTMENT OF REVENUE,

Defendant.

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**DEFENDANT'S UNOPPOSED MOTION FOR LEAVE TO EXCEED PAGE  
LIMITATION FOR HER MOTION TO EXCLUDE THE TESTIMONY OF PLAINTIFF'S  
EXPERT WITNESSES**

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Defendant, Roxy Huber, in her capacity as the Executive Director of the Colorado Department of Revenue, respectfully moves the Court for leave to exceed the Court's page limitation for motions. As grounds therefore, Defendant states as follows:

1. Pursuant to D.C.COLO.LCivR. 7.1A of the Federal Rules of Civil Procedure, counsel for Defendant conferred with counsel for Plaintiff. Plaintiff does not oppose the relief requested in this Motion.
2. Plaintiff filed this suit challenging the constitutionality of Colorado HB 10-1193 and implementing regulations. In support of its Motion for Preliminary Injunction, filed August 13, 2010 [Dkt. 15], Plaintiff offered the testimony of three experts- F. Curtis Barry, Dr. Thomas Adler, and Prof. Kevin Lane Keller.
4. Pursuant to this Court's Practice Standards for Civil Actions, motions shall not exceed 15 pages. REB Civ. Practice Standard V.B.1.

7. Defendant has filed contemporaneously herewith one Motion to Exclude the Expert Testimony of Plaintiff's Expert Witnesses, directed at all three expert witnesses. That Motion exceeds the page limitation by only five pages. No portion of the Motion directed to a single expert exceeds 15 pages.

8. Good cause exists for a finite extension of the Court's page limitation.

WHEREFORE, Defendant respectfully requests this Court enter an Order granting Defendant leave to exceed the page limitation and file her Motion to Exclude the Testimony of Plaintiff's Expert Witnesses up to and including 20 pages.

Respectfully submitted this 16th day of December, 2010.

JOHN W. SUTHERS  
Attorney General

*s/ Melanie J. Snyder*

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**CERTIFICATE OF SERVICE**

I hereby certify that on December 16, 2010, I electronically filed the foregoing **DEFENDANT'S MOTION FOR LEAVE TO EXCEED PAGE LIMITATION FOR HER MOTION TO EXCLUDE THE TESTIMONY OF PLAINTIFF'S EXPERT WITNESSES** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following e-addresses:

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*Attorney for Plaintiff*

*s/ Melanie J. Snyder*

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