

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

Civil Action No. 12-cv-01570-RPM

HAROLD CUNNINGHAM,
CARLTON DUNBAR,
JOHN W. NARDUCCI, JR.,
JEREMY PINSON,
JOHN J. POWERS,
ERNEST NORMAN SHAIFFER, and
MARCELLUS WASHINGTON,

Each individually and on behalf of all others similarly situated,

and

CENTER FOR LEGAL ADVOCACY, d.b.a. The Legal Center for People with Disabilities
and Older People,

Plaintiffs,

v.

FEDERAL BUREAU OF PRISONS,

Defendant.

**ORDER ON REQUEST THAT DEFENDANT BE PERMITTED TO FILE SUR-
REPLY**

The issue of whether the Center for Legal Advocacy (“CLA”) has associational standing in this action is currently before the Court in the form of a Motion for Partial Summary Judgment. Plaintiffs submitted their Reply on October 15, and included Declarations of CLA employees along with it. Defendant does not object to the submission of the Declarations, but requests an opportunity to determine whether the facts contained in

the Declarations are material to a contested issue and/or are genuinely disputed.
Accordingly, it is,

ORDERED that, on or before October 25, 2013, Defendant file a sur-reply limited to
addressing the factual allegations contained in the Declarations.

Dated: October 16, 2013

BY THE COURT:

s/Richard P. Matsch

Richard P. Matsch
Senior District Judge