



DISTRICT COURT, PUEBLO COUNTY, COLORADO Court Address: 320 West 10th Street, PUEBLO, CO, 81003	DATE FILED: April 9, 2014 11:39 AM CASE NUMBER: 2014CV30279 <p style="text-align: center;">△ COURT USE ONLY △</p>
Plaintiff(s) TINASE Z ROBERTS v. Defendant(s) AUTO OWNERS INSURANCE COMPANY et al.	
Case Number: 2014CV30279 Division: D Courtroom:	
Order: Motion for Enlargement of time to File Responsive Pleading	

The motion/proposed order attached hereto: GRANTED.

Issue Date: 4/9/2014



DAVID W CROCKENBERG
 District Court Judge

<p>DISTRICT COURT, PUEBLO COUNTY, COLORADO</p> <p>320 West 19th Street Pueblo, Colorado 81003</p>	<p style="text-align: center;">▲ COURT USE ONLY ▲</p> <hr/> <p>Case Number: 2014CV030279</p> <p>Division:</p>
<p>Plaintiff,</p>	
<p>TINASE Z. ROBERTS</p>	
<p>v.</p>	
<p>Defendant(s),</p>	
<p>AUTO OWNERS INSURANCE COMPANY AND OWNERS INSURANCE COMPANY.</p>	
<p>Attorneys for Auto Owners and Owners Insurance: Karen H. Wheeler, #16884 Kathryn E. Cobb, #40063 Levy•Wheeler•Waters Professional Corporation Plaza Tower One, Suite 900 6400 South Fiddlers Green Circle Greenwood Village, Colorado 80111-4923 Telephone: (303) 796-2900 Facsimile: (303) 796-2081</p>	
<p style="text-align: center;">MOTION FOR ENLARGEMENT OF TIME TO FILE RESPONSIVE PLEADING</p>	

Defendant, Auto Owners Insurance Company and Owners Insurance Company, by and through their attorneys, Levy•Wheeler•Waters, Professional Corporation, hereby submits, and in support thereof states:

Defense counsel has attempted to confer with opposing counsel but has not been able to reach her and have not received a response; however, we do not believe that opposing counsel will not oppose this motion.

1. Defendants' responsive pleading is due today, April 7, 2014.
2. Under C.R.C.P. 6(b), this Court may, for cause shown, enlarge a period of time where a request for enlargement is made prior to the expiration of the original time period. See

C.R.C.P. 6(b)(1). C.R.C.P. 1 provides that the Colorado Rules of Civil Procedure are to “be liberally construed to secure the just, speedy, and inexpensive determination of every action.” C.R.C.P. 1(a). Granting the requested enlargement of time is consistent with these objectives.

3. The parties have discussed dismissing Auto Owners Insurance from this case as it is not a proper party.

4. Additionally, the parties have also discussed the possibility of removal to Federal Court.

5. The parties would like an additional three days to determine the procedural issues with dismissing Auto Owners and filing a Notice of Removal before filing an answer. Defendants believe this is in the interest judicial economy.

3. A proposed order is attached.

WHEREFORE, Defendants respectfully request an enlargement of time to April 10, 2014 in which to file their responsive motion.

Dated this 7th day of April, 2014.

Respectfully submitted,

LEVY•WHEELER•WATERS
Professional Corporation

*Original signature on file at the offices of
Levy•Wheeler•Waters, Professional Corporation*

By: /s/ Karen H. Wheeler

Karen H. Wheeler, #16884

Kathryn E. Cobb, #40063

Attorneys for Auto Owners Insurance Company and
Owners Insurance Company

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of April, 2014, a true and correct copy of the foregoing Motion for Enlargement of Time to File a Responsive Pleading was e-filed through ICCES and served electronically on the following:

Patricia A. Meester
Franklin D. Azar & Associates, P.C.
14426 E. Evans Avenue
Aurora, Colorado 80014

*Original signature on file at the offices of
Levy•Wheeler•Waters
Professional Corporation*

/s/ Pamela J. Carroll
Pamela J. Carroll

Attachment to Order - 2014ACV30279