

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Christine M. Arguello**

Civil Action No. 14-cv-01188-CMA-KMT

ANN MARIE JULIE MEDINA, and
SAMUEL MEDINA, JR.,

Plaintiffs,

v.

WERNER ENTERPRISES, INC.,

Defendant.

ORDER ON MOTIONS

This matter is before the Court on Defendant Werner Enterprises, Inc.'s Motion for Summary Judgment, filed on April 8, 2015. (Doc. # 36). Plaintiffs Ann Marie Julie Medina and Samuel Medina, Jr., responded to Defendant's motion on April 29, 2015 (Doc. # 37), and Defendant replied on May 12, 2015 (Doc. # 38). Also before the Court is Plaintiffs' Motion for Leave to File Motion for Summary Judgment Out-Of-Time. (Doc. # 39.) Defendant responded to this motion on May 20, 2015 (Doc. # 40), and Plaintiffs replied on May 27, 2015 (Doc. # 41).

With regard to Defendant's Motion for Summary Judgment, upon review of the parties' briefing and the evidence referenced therein, the Court determines that genuine issues of material fact preclude the Court from granting the summary judgment motion.

With regard to Plaintiffs' Motion for Leave to File Motion for Summary Judgment Out-Of-Time, the Court finds that Plaintiffs have not provided sufficient justification for

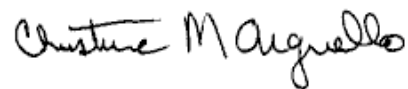
this Court to grant permission to file a summary judgment motion more than five weeks after the dispositive motion deadline.

Accordingly, the Court ORDERS that Defendant's Motion for Summary Judgment (Doc. # 36) is DENIED.

The Court FURTHER ORDERS that Plaintiffs' Motion for Leave to File Motion for Summary Judgment Out-Of-Time (Doc. # 39) is DENIED.

DATED: August 13, 2015

BY THE COURT:

Handwritten signature of Christine M. Arguello in black ink.

CHRISTINE M. ARGUELLO
United States District Judge