

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-02798-RBJ-MEH

REBECCA TRUJILLO,

Plaintiff,

v.

CITY AND COUNTY OF DENVER, COLORADO,
DENVER HEALTH AND HOSPITAL AUTHORITY, D/B/A DENVER HEALTH MEDICAL
CENTER;

DEPUTY [FIRST NAME UNKNOWN] ROMERO, Denver Sheriff Department, in his
individual and official capacities;

DEPUTY [FIRST NAME UNKNOWN] ALLEN, Denver Sheriff Department, in his individual
and official capacities;

DEPUTY [FIRST NAME UNKNOWN] RODRIGUEZ, Denver Sheriff Department, in his or
her individual and official capacities;

[FIRST NAME UNKNOWN] PEREZ, RN, in his or her individual and official capacities;

VICTORIA TOLIVER, RN, in her individual and official capacities;

DANA WIMBERLY, RN, in her individual and official capacities;

JENNIFER FIREBAUGH, RN, in her individual and official capacities;

BRENDA SUE HAGMAN, LPN, in her individual and official capacities;

PAUL MICHAEL UMBRIACO, RN, in his individual and official capacities;

MARVIN KORELL, RN, in his individual and official capacities;

PAULINE MARIE MCGANN, MD, in his individual and official capacities;

DONNA MARIE BLATT, RN, in her individual and official capacities;

JOHN GEHRED, MD, in her individual and official capacities; and

JOHN AND JANE DOES 1 THROUGH 20, DENVER CITY AND COUNTY SHERIFF'S
DEPUTIES AND MEDICAL PERSONNEL, in their official and individual capacities;

Defendants.

MINUTE ORDER

Entered by Michael E. Hegarty, United States Magistrate Judge, on April 13, 2016.

Plaintiff's Motion to Strike or for Leave to File Surreply [[filed March 21, 2016; docket #142](#)]
is **denied without prejudice** for failure to comply with D.C. Colo. LCivR 7.1(a), which states,

Before filing a motion, counsel for the moving party or an unrepresented party
shall confer or make reasonable good faith efforts to confer with any opposing
counsel or unrepresented party to resolve any disputed matter. The moving party

shall describe in the motion, or in a certificate attached to the motion, the specific efforts to fulfill this duty.

The motion does not fall under any exception listed in D.C. Colo. LCivR 7.1(b). Although the filing is characterized as a “motion to strike,” the Court does not construe the motion as brought pursuant to Fed. R. Civ. P. 12(f), which governs the striking of *pleadings*; under the applicable rules, motions to dismiss (and any associated briefs) are not pleadings. *See* Fed. R. Civ. P. 7.

The Court reminds the parties of their continuing obligations to comply fully with D.C. Colo. LCivR 7.1(a). *See Hoelzel v. First Select Corp.*, 214 F.R.D. 634, 636 (D. Colo. 2003) (because Rule 7.1(a) requires meaningful negotiations by the parties, the rule is not satisfied by one party sending the other party a single email, letter or voicemail).