

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-03359-CMA-MJW

MARCUS LESSARD,

Plaintiff,

v.

TRACI CRAVITZ, *in her individual and official capacities*,
BOULDER POLICE DEPARTMENT, *a municipality*,
BOULDER DISTRICT ATTORNEY'S OFFICE, *a municipality*,
NATASHA ANDERSON, *f/k/a Natasha Young, in her individual and official capacities*,
KAREN LORENZ, *in her individual and official capacities*,
KAREN PETERS, *in her individual and official capacities*,
STEVEN LOUTH, *a private party in conspiracy with Boulder DA's Office Defendants*,
LIZ LAFEMINA, *a private party in conspiracy with Boulder Police Department Defendants*,

KERRY YAMAGUCHI, *in his individual and official capacities*,
JOHN DOE #1, *in his/her individual and official capacities*,
JOHN DOE #2, *in his/her individual and official capacities*,
LAEL MONTGOMERY, *in her individual and official capacities*,
THOMAS J. B. REED, *in his individual and official capacities*,
G. MULVANEY, *in his/her individual and official capacities*,
LUCY BATTON, *in her individual and official capacities*,
GORDON BROWN, *in his individual and official capacities*,
CASSANDRA HENRIKSON, *in her individual and official capacities*,
ERICA SOLANO, *in her individual and official capacities*,
JANE HARMER, *in her individual and official capacities*,
GORDON COOMBES, *in his individual and official capacities*,
MAGGIE GREEN, *in her individual and official capacities*,
MARK HUSMANN, *in his individual and official capacities*,
MARCIE LIEBERMAN, *in her individual and official capacities*,
DONNA TEAGUE, *in her individual and official capacities*,
TIM JOHNSON, *in his individual and official capacities*, and
STAN GARNETT, *in his individual and official capacities*,

Defendants.

MINUTE ORDER

Entered by Magistrate Judge Michael J. Watanabe

On January 27, 2015, Defendant Steven Louth filed a motion to dismiss. (Docket No. 18.) On February 12, 2015, Plaintiff Marcus Lessard filed his First Amended Complaint. (Docket No. 23.) On February 23, 2015, Magistrate Judge Watanabe ordered Plaintiff to file a response to Defendant Louth's motion to dismiss, on the grounds that the First Amended Complaint did not moot the grounds for Defendant Louth's motion. (Docket No. 32.) The Court has twice extended Plaintiff's deadline for responding to Defendant Louth's motion. (Docket Nos. 43 & 45; 50 & 52.) Plaintiff's response has not been filed and, at this point, is past due. (See *id.*)

Notwithstanding the foregoing, on March 16, 2015, Defendant Louth filed a renewed motion to dismiss. (Docket No. 57.) The new motion is largely identical to the first, except that it adds a statute of limitations argument. (See Docket Nos. 18, 57.)

Since Defendant Louth's new motion duplicates the first, **it is hereby ORDERED that Defendant Louth's first motion to dismiss (Docket No. 18) is DENIED AS MOOT.** Plaintiff shall have three weeks from the date of this order to respond to Defendant Louth's renewed motion.

Date: March 18, 2015
