

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.

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MINUTE ORDER

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Entered by Magistrate Judge Michael J. Watanabe

It is hereby ORDERED that:

- Plaintiff's Motion for Leave to File Second Amended Complaint (**Docket No. 73**) is GRANTED. Docket No. 73-2 is ACCEPTED FOR FILING and is now the operative complaint in this case.
- Plaintiff's Motion for Leave to File First Supplemental Complaint Pursuant to Rule 15(d) (**Docket No. 78**) is GRANTED. Docket No. 78-1 is ACCEPTED FOR FILING.
- Plaintiff is advised that no further amendments or supplements to his Complaint will be allowed absent extraordinary circumstances. Federal Rule of Civil Procedure 8(a) requires a complaint to set forth a "short and plain" statement of the grounds for relief; none of Plaintiff's efforts thus far can be described as "short" or "plain," and the Court is hard-pressed to imagine any circumstances truly warranting a 215-page complaint. The Tenth Circuit has repeatedly held that defendants are unduly prejudiced when compelled to respond to such wordy and unwieldy pleadings. See, e.g., *Nasious v. Two Unknown B.I.C.E. Agents*, 492 F.3d 1158, 1162-63 (10th Cir. 2007). Defendants have not moved to dismiss for failure to meet the "short and plain" requirements of Rule 8(a), and the Court will not dismiss the case on that ground. However, Plaintiff is advised that further efforts to prolong the pleadings stage of this case may lead to the imposition of sanctions, including an award of costs and attorneys fees incurred by Defendants in responding to seriatim and prolix complaints.
- The following motions are DENIED WITHOUT PREJUDICE, AS MOOT:
  - Boulder County Defendants' Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6) (**Docket Nos. 46**);
  - Judicial Defendants' Motion to Dismiss Based on Absolute Immunity and Lack of Subject Matter Jurisdiction (**Docket No. 56**);
  - Defendant Steven Louth's Renewed Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(6) (**Docket No. 57**);
  - City Defendants' Motion to Dismiss Plaintiff's Amended Complaint (**Docket No. 58**);
  - Plaintiff's Motion to Strike or for an Extension of Time (**Docket No. 75**); and
  - Defendant Anderson's Unopposed Motion for Extension of Time to Respond to Amended Complaint (**Docket No. 80**).

Date: April 21, 2015

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