

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 24-cv-03390-RMR

JOSHUA ABRAMS

Plaintiff,

v.

DIVISION OF UNEMPLOYMENT INSURANCE
JOE BARELA
JEFF FITZGERALD
JOHN & JANE DOE(S)

Defendants.

**STATE DEFENDANTS' MOTION FOR EXTENSION OF TIME TO ANSWER
OR OTHERWISE RESPOND TO PLAINTIFF'S AMENDED COMPLAINT
[ECF 7]**

Defendants Division of Unemployment Insurance and Joe Barela (hereinafter jointly "State Defendants"),¹ through counsel, move for an extension of time to answer or otherwise respond to Plaintiff's Amended Complaint and state as follows:

Certificate of conferral under D.C.COLO.LCivR 7.1(a): The undersigned counsel certifies that she conferred with Plaintiff regarding the relief sought herein. Plaintiff opposes the relief sought in this Motion.

1. On February 7, 2025, Plaintiff filed an Amended Complaint. ECF No. 7. State Defendants were served with the Plaintiff's Amended Complaint on March

¹ A return of service was filed for Jeff Fitzgerald indicating the Summons and Amended Complaint was left with an administrative assistant at the Colorado Department of Labor and Employment ("CDLE"). ECF No. 20. However, because Mr. Fitzgerald is no longer employed by CDLE, this attempt at service was not effective.

24, 2025, and their response to the Amended Complaint is currently due on April 14, 2025.

2. State Defendants seek a fourteen-day extension of time, up to and including April 28, 2025, to answer or otherwise respond to the Plaintiff's Amended Complaint.

3. The Amended Complaint spans nearly forty pages, brings eight claims for relief, and seeks extensive injunctive, declaratory, and monetary relief. State Defendants require additional time to investigate Plaintiff's broad allegations and research potential defenses to the claims for relief. Additionally, undersigned counsel was just assigned to this case on Thursday, April 3, 2025 and requires additional time to investigate and confer with State Defendants.

4. State Defendants have not previously requested an extension of time in this action. For good cause shown, the Court may extend the time within which an act must be done. Fed.R.Civ.P. 6(b)(1).

5. This motion is intended not for purposes of delay but to allow State Defendants' counsel an opportunity to properly prepare a response to Plaintiff's Amended Complaint. A fourteen-day extension will not prejudice any party but will serve the interests of justice and fairness.

WHEREFORE, State Defendants respectfully request this Court grant them an extension, to and including April 28, 2025, to answer or otherwise respond to the Amended Complaint.

Respectfully submitted this 7th day of April 2025,

PHILIP J. WEISER
Attorney General

s/ Lauren Davison

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CERTIFICATE OF SERVICE

This is to certify that I have duly served the within STATE DEFENDANTS' MOTION FOR EXTENSION OF TIME TO ANSWER OR OTHERWISE RESPOND TO PLAINTIFF'S AMENDED COMPLAINT [ECF 7] upon all parties herein, including State Defendants, by e-filing with the CM/ECF system maintained by the court, by email and/or by causing same to be deposited in the United States Mail, with First Class postage prepaid, at Denver, Colorado, on this 7th Day of April 2025, addressed as follows:

Joshua Abrams
10722 North Parfet Street
Westminster, CO 80021
abramslive@gmail.com

s/ Denise Munger