

DISTRICT COURT, DENVER COUNTY, COLORADO 1437 Bannock Street, Denver, CO 80202	DATE FILED: June 17, 2022 7:25 PM FILING ID: D7D6883FB7D9F CASE NUMBER: 2022CV31451
<b>Plaintiffs:</b> UNIVERSAL HERBS, LLC, by and through GARY SCHWARTZ in his capacity as Court-Appointed Receiver  <b>v.</b>  <b>Defendant:</b> TITAN HEALTH, LLC,	<b>COURT USE ONLY</b>
Attorney for Defendant Richard W. Bryans, Jr. #20734 1675 S. Birch Street, #1104 Denver, CO 80222 Tel (303) 257-0216 Email: rw@bryanslaw.com	Case Number: 2022CV031451  Ctrm. 209
<b>ENTRY OF APPEARANCE AND UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE ANSWER, WITH AUTHORITIES</b>	

Undersigned counsel hereby enters his appearance for the Defendant pursuant to the Colorado Rules of Civil Procedure, and pursuant to Rule 6, C.R.C.P., respectfully requests the Court allow the defendant an additional fifteen (15) days to file an Answer or other responsive pleading to the Complaint, and as good cause therefor, shows unto the Court the following:

**CERTIFICATE OF CONFERRAL**

In accordance with Section 1-15, Rule 121, C.R.C.P., undersigned counsel conferred with plaintiff’s counsel who stated that they do not oppose this Motion.

1. The Summons in this case is dated May 23, 2022. Undersigned counsel was contacted by Defendant and engaged on Monday, June 13, 2022. Due to expiration of 21 days from the date the Summons was received on May 24, 2022, there is practically no time to file a substantively appropriate Answer. Because a reasonable time is be needed by counsel to obtain information and prepare an appropriate response, defense counsel requests an additional fifteen (15) days for that purpose, which is not unreasonable. Opposing counsel understands and courteously does not oppose this Motion.
  
2. The trial court has broad latitude under section C.R.C.P. 6(b)(2) in permitting enlargement of

time within which to file responsive pleadings. *People v. McBeath*, 709 P.2d 38 (Colo. App. 1985). A trial court may, for good cause, allow an extension of time to file an answer, even though the original time limit has passed. *Reap v. Reap*, 142 Colo. 354, 350 P.2d 1063 (1960).

3. There will be no prejudice to any party and the granting of this Motion will serve the best interests of justice.

WHEREFORE, defendant moves the Court for an Order as aforesaid and for such other relief deemed just and appropriate.

Respectfully submitted this 17<sup>th</sup> day of June, 2022.

/s/ Richard W. Bryans, Jr.  
Richard W. Bryans, Jr.

### **CERTIFICATE OF SERVICE**

I hereby certify that on this 17<sup>th</sup> day of June, 2022, the foregoing was filed and served via the Colorado Courts E-Filing System upon the following:

John Chanin  
Katie Roush  
Foster Graham Millstein & Kalisher LLP  
360 S Garfield St #600  
Denver, CO 80209

/s/ Richard W. Bryans, Jr.  
Richard W. Bryans, Jr.