

DISTRICT COURT, EL PASO COUNTY, COLORADO	
Court Address: 270 South Tejon St. Colorado Springs, CO 80903	
Plaintiff: GARY CARTER, surviving spouse of Tami Carter; JUSTIN CARTER, TYLER CARTER, and JACQUELYN BUCHANAN, surviving children of Tami Carter v.	▲ COURT USE ONLY ▲ Case Number: 20CV30743 Div.: 15 Ctrm: S403
Defendant: SEAN KNESS, M.D.; MICHAEL MILNE, R.N.; UCH-MHS d/b/a/ University of Colorado Health at Memorial Hospital North	
[O-1] PROCEDURE FOR FILING MOTIONS, RESPONSES AND REPLIES	

This Order SHALL govern the filing of all pleadings in this case.

1. All motions, proposed Orders, pleadings, and documents of any kind which are filed in this case shall be filed directly through the Court’s efile system. No pleadings of any kind may be filed with any other Court personnel, including the Division 15 clerks, nor shall any pleading be filed in open court.

2. All motions shall be identified by general content and/or relief requested and numbered sequentially. The procedure for ordering motions requires each party to use their own sequential numbers independent of what is being used by the other. This is necessary because the Plaintiff and Defendant may file cross-motions at the same time. If that occurs, one side or the other could inadvertently use the same number for its motions as that number being used by the other side. As such, if the Defendant files a [D-6] motion, the response by the Plaintiff should be identified as a [D-6] response. Similarly, if the Plaintiff files a [P-2] motion, the response filed by the defense should be identified as a [P-2] response. If the Plaintiff files a [P-2] motion, the next motion filed by the Plaintiff shall be labeled as a [P-3] motion regardless of the number of motions that have been filed by the Defendant in the meantime. Likewise, if the Defendant files a [D-6] motion, the next motion to be filed by the Defendant should be labeled as [D-7] regardless of the number of Plaintiff motions that have been filed in the meantime.

3. The numbering for the motion MUST PRECEDE the title of the motion and be reflected as indicated in the title of this ORDER. An example of a potential caption follows:

[MILNE-1] MOTION FOR SUMMARY JUDGMENT

The party responding, regardless of the identity of the party, would file a response designated as [MILNE-1] Response to Motion for Summary Judgment in the caption title. Such as:


[MILNE-1] RESPONSE TO MOTION FOR SUMMARY JUDGMENT

This clearly and quickly allows the Court to locate the Motion and associated Response and Reply by simply looking at the caption title. Where there are multiple parties on either side of the case, the bracketed notation should clearly and *briefly* identify the party filing the motion. For example: [Kent-4] Motion for Protective Order. In this instance, the Court would know the motion was filed by a Plaintiff Kent. The response, regardless of by whom it was filed should clearly refer to that identified motion. As such, the response would be identified as [Kent-4] Response to Motion for Protective Order regardless of who filed the Response. The reply would be designated as [Kent-4] Reply to Motion for Protective Order.

4. Every motion shall be accompanied with a proposed order. The Court will not accept for filing any pleading which is a combined motion and order. All responses to motions shall also address only the single issue raised in the motion. Any response to a motion must reference the motion and motion number it is responding to in the title of the response. The Court will not accept for filing any consolidated response to multiple motions.

5. Voluminous exhibits are discouraged. Parties shall limit exhibits to essential portions of documents. Unless otherwise ordered by the Court copies of documents attached as exhibits to a motion shall not be attached as exhibits to a response brief. A responding party shall refer to the exhibits which were previously attached to the motion. If it is necessary for the responding party to rely on additional exhibits, the additional exhibits shall be attached to the response brief.

Done this 23rd day of November, 2021.



Gregory R. Werner
District Court Judge