

District Court, Summit County, Colorado P.O. Box 269, 501 North Park Avenue Breckenridge, CO 80424 Phone: (970) 453-2241	DATE FILED: November 18, 2020 6:10 PM CASE NUMBER: 2020CV30155 Fax: (970) 453-1134
<b>The Enclave At Keystone Inc,</b> <b>Plaintiff(s),</b>  <b>V.</b>  <b>American Alternative Insurance Company, et al,</b> <b>Defendant(s).</b>	▲ COURT USE ONLY ▲ <hr/> Case Number: 20 CV 30155  Div. T
<b>DELAY REDUCTION &amp; E-FILING ORDER</b>	

I. All civil courts in the Fifth District are on a delay reduction docket. Deadlines that must be met are:

1. Service of Process: Returns of Service on all defendants shall be filed within 63 days after the date of the filing of the complaint.
2. Default Judgment: Application for default judgment shall be filed within 35 days after default has occurred.
3. Case Management: Plaintiff shall serve a Notice to Set the case for case management conference and shall complete the setting of the case management conference within 35 days from the date the case becomes at issue. A case shall be deemed “at issue” when all parties have been served and have filed all pleadings permitted by C.R.C.P. 7, or defaults or dismissals have been entered against all non-appearing parties, or at such other time as the Court shall direct.

The Court will consider extending time periods upon timely filing of a motion showing good cause.

IF AN ATTORNEY OR *PRO SE*<sup>1</sup> PARTY FAILS TO COMPLY WITH PART I OF THIS ORDER, THE COURT MAY DISMISS THE CASE WITHOUT PREJUDICE. THIS ORDER SHALL BE THE INITIAL NOTICE REQUIRED BY RULE 121, SECTION 1-10, AND RULE 41(B) (2).

II. Any *pro se* party shall submit, in writing, to the Court a valid mailing address where they will receive copies of pleadings filed with the Court.

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<sup>1</sup> “*Pro se*” means a person who is a party in a case but is not represented by an attorney. While a person may appear before this Court in a *pro se* capacity, a corporation or similar entity cannot do so and must be represented by an attorney.

- III. Proposed Findings and/or Orders must be submitted with any Motion, Response, or Objection presented to the Court (see also Section IV(C) below).
- IV. The Fifth Judicial District Court requires all parties to serve their pleadings using Electronic Case Filing (“e-filing”). After engaging in an extensive trial period, this Court mandated e-filing because it fosters both economy and efficiency for the Court and the parties appearing before it. As part of the e-filing system and also in an effort to facilitate a “paper on demand” environment, the Court sets forth the following formatting standards:
- A. **Case Types:** Use of the e-filing system is mandatory in all CV and PR case types, including “sealed” and “suppressed” cases.
  - B. **Exception for Pro Se parties:** Irrespective of IV(A) above, *pro se* parties will be permitted to submit paper pleadings and exhibits to the Court. The Court’s staff will scan and upload such documents to the e-filing system, and it will retain the originals in the applicable case file.
  - C. **Submission of Proposed Findings and/or Orders:** All PROPOSED FINDINGS AND/OR ORDERS must be submitted using direct upload of the pleading from a word processing format to the e-filing system.
  - D. **Submission of Pleadings:** All PLEADINGS must be submitted using one of the following two methods: (1) direct upload of the pleading from a word processing format to the e-filing system; or (2) electronic conversion of the pleading from a word processing format into a PDF format and then direct upload of said PDF to the e-filing system.<sup>2</sup> Except as otherwise provided in Section IV(f) below, Parties shall NOT upload pleadings into the e-filing system as scanned or graphic images, or in any other manner that prevents the Court from copying/pasting text or employing enhanced search functionality within a pleading. Pleadings, not in compliance, may be rejected to compel the party to properly re-file them.
  - E. **Submission of Exhibits, Form/Preprinted Pleadings & Returns of Service:** All EXHIBITS, FORM/PREPRINTED PLEADINGS, and RETURNS OF SERVICE must be submitted through the e-filing system. However, they may be submitted as scanned or graphic images.
  - F. **Document Size:**
    - 1. Pursuant to Rule 120 § 1-15(1), motions or briefs “in excess of 10 pages in length, exclusive of tables and appendices, are discouraged.” Any party seeking to submit a motion or brief in greater length shall file a motion beforehand, requesting the Court’s leave and briefly explaining the need for doing so.
    - 2. The current size limit for each document filed electronically is 1.5 megabytes.<sup>3</sup> For the purpose of this procedure, each electronically filed pleading, motion, brief, or other paper is a separate document. Any

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<sup>2</sup> For more information, please see the ICCES E-Filing Resources page at <http://www.courts.state.co.us/icces>

<sup>3</sup> 1.5 megabytes may be equivalent to approximately 50 pages of plain, typed text or 25 pages of scanned information.

document, which exceeds 1.5 megabytes, shall be separated into electronic files of 1.5 megabytes or less each.

- G. **Color or Graphics**: Documents scanned in color, grey scale, or containing graphics result in larger file sizes and take longer to download. Therefore, filers should configure scanners to scan documents at 200dpi (dots per inch) and not in color or grey scale.
- H. **Exhibits of Large Physical Size**: If a party desires to submit a plat, an architectural design, or some other exhibit that is physically too large to be e-filed, the party shall file a written request with the Court to do so beforehand.
- I. **Title of Pleadings**: In submitting pleadings using the e-filing system, the parties must provide a full title, which matches as closely as possible the actual title of the corresponding document being submitted. Pleadings that do not have conforming titles may be rejected to compel the party to properly re-file said pleading.
- J. **Category for Pleadings**: In submitting pleadings using the e-filing system, the parties must also provide a pleading category that matches the identifiable and specific category of the actual pleading being submitted. For example, if a specific category exists for a pleading in the e-filing system, parties may not submit said pleadings with the category “filing other.” Pleadings with improper category designations may be rejected to compel the party to properly re-file said pleading.
- K. **Minute Orders**: In order to ensure that a complete case history is available through the e-filing system, the Court will upload “minute orders” into the e-filing system.
- L. **Requests for Paper Copies**: If a request is made to the Court for a paper document from an electronically filed case, the Register of Actions will be printed out from the e-filing system Case History, and the requesting party asked to specifically identify the document they wish to see. Paper copies of documents contained in the electronic file will be produced only when requested.
- M. **Charges for Paper Copies**: If a paper copy of a document from an electronic file is created, that document will then be printed for the requesting party. \$.75 per page will be charged, only if the requesting party wishes to keep the document. There is no charge if the requesting party only wishes to view the document.
- N. **Commencing a CV Case**: In CV cases, the e-filing system requires that the Complaint be the first document filed in order to properly commence the case.

DATED: November 18, 2020.

  
Mark D. Thompson  
Chief District Court Judge

