

DISTRICT COURT, BOULDER COUNTY, COLORADO 1777 6 th Street Boulder, Colorado 80302	<div style="text-align: center;">COURT USE ONLY</div> <hr/> <div style="text-align: center;">Case No.: 2025 CV 80</div> <div style="text-align: center;">Division: 2</div>
CHARLES R. BELL, Plaintiff, v. JAY E. FREEDBERG, CPA/ABV/CFF; CAROL GLASSMAN, ESQ; and NELISSA MILFELD, ESQ. Defendants.	
Attorneys for Defendant: Carol Glassman GORDON & REES LLP John M. Palmeri, #14252 William G. Dewey, #55930 555 Seventeenth Street, Ste. 3400 Denver, Colorado 80202 (303) 534-5160 jpalmeri@grsm.com wdewey@grsm.com	<div style="text-align: center;"> NOTICE OF FILING IRREGULARITIES IN BRIEFING ON DEFENDANT GLASSMAN’S MOTION TO DISMISS </div>

Defendant Carol Glassman, through counsel, Gordon & Rees LLP, submits the following Notice of Filing Irregularities in Briefing on Motion to Dismiss:

1. Defendant Glassman filed her motion to dismiss on May 27, 2025.
2. Pursuant to Colorado Rule of Civil Procedure 121 § 1-15(1)(b), the responding party shall have up to twenty-one days after the filing of the motion to file a responsive brief.
3. Pursuant to Colorado Rule of Civil Procedure 121 § 1-15(1)(c), the moving party shall have seven days after the filing of the responsive brief to file any reply brief.
4. Section 1-15(1) does not contemplate sur-replies.

5. In this case, Plaintiff served undersigned counsel with a Response in Opposition to Defendant Glassman's Motion to Dismiss via email on June 7, 2025. According to the email, the filing was being served pursuant to C.R.C.P. § 1-26 and the Deputy Court Executive for the 20th Judicial District, "in full compliance with my ADA accommodations on record and are considered filed as of submitting date June 7, 2025. Physical docketing will occur [sic] June 9, 2025." A copy of the email, the response brief, and the exhibits are attached to this Notice.

6. Based on the Plaintiff's representation that the Response was effectively filed under the Colorado Rules of Civil Procedure and Plaintiff's ADA accommodations, Defendant Glassman filed a reply in support of her motion to dismiss on June 16, 2025.

7. On June 18, 2025, Plaintiff filed a Sur-Reply in Further Opposition to Defendant Glassman's Motion to Dismiss. Plaintiff did not seek leave of the Court prior to filing this Sur-Reply.

8. The Response that was served via email on June 7 has never shown up in the Court's docket.

9. Pursuant to C.R.C.P. 121 § 1-15(1), the permissible briefing related to the motion to dismiss includes the Motion filed by Defendant Glassman on May 27, 2025; the Response served by Plaintiff via email on June 7, 2025, and attached here; and the Reply filed by Defendant Glassman on June 16, 2025.

10. Defendant Glassman will file any additional briefing as regards the sur-reply at the request of the Court.

Dated this 10th day of July 2025.

GORDON & REES LLP

/s/ William G. Dewey

John M. Palmeri, #14252

William G. Dewey, #55930

ATTORNEYS FOR DEFENDANT
CAROL GLASSMAN

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the above and foregoing was filed and served via the CO-Courts electronic filing and service system this 10th day of July 2025, with service upon pro se plaintiff by electronic mail.

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