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2 UNITED STATES DISTRICT COURT  
3 IN THE DISTRICT OF COLORADO

4 RAYMOND LYALL, ET AL;

5 Plaintiffs,

6 vs.

7 CITY OF DENVER.

8 Defendant

Case No.: 16-CV-2155 WJM-SKC

**CLASS ACTION**

**DEMAND FOR JURY TRIAL**

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14 **PLAINTIFF'S RESPONSE TO DENVER'S STATUS REPORT:**

15 **REQUEST FOR ACTUAL NOTICE**

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18 1. Defendant City of Denver submitted a "Status Report" concerning a mass scale homeless  
19 sweep that occurred today, this morning, October 29, 2018.
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21 2. Plaintiffs received the "Status Report" at 11:56 a.m. after much of the mass sweep had  
22 already occurred.
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24 3. The sweep resulted in hundreds of homeless persons being displaced and deprived of  
25 their property and shelter, without notice, and on the eve of a cold front moving into the  
26 Denver area.<sup>1</sup>

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<sup>1</sup> It is expected to snow several inches tomorrow, 10/30/18, with temperatures descending below freezing.

- 1 4. The sweep was the obvious result of large-scale city planning and coordination that  
2 involved and engaged numerous city agencies ranging from the Denver Police  
3 Department to Denver Public Works.  
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5 5. The large-scale sweep that occurred today is the very subject matter of litigation before  
6 this Honorable Court.  
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8 6. Going forward, in its wide-ranging discretion concerning matters that are currently  
9 pending before it, Plaintiffs would respectfully move that this Honorable Court order  
10 Defendant City of Denver to notify Plaintiffs' class counsel of its intent to conduct large  
11 scale sweeps—as defined by this Court, 4/27/17 [**Docket No. 106: *Granting in Part and***  
12 ***denying in Part Plaintiffs' Motion for Class Certification***—at least 72 hours prior to the  
13 planned sweep, so that Plaintiffs would have the option of applying for a Temporary  
14 Restraining Order to this Honorable Court pursuant to Federal Rule of Civil Procedure  
15 65(b).  
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21 Dated: 10/29/18

22 s/ Jason Flores-Williams  
23 LAW OFFICE OF JASON FLORES-  
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2 *Attorneys for Plaintiff Class*

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6 CERTIFICATE OF SERVICE

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8 I certify that on this 29th day of October 2018, I electronically filed the foregoing RESPONSE  
9 TO STATUS REPORT: REQUEST FOR ACTUAL NOTICE with the Clerk of the Court using  
10 the CM/ECF system which will send notification of such filing to the following counsel of the  
11 City Attorney's Office:

12  
13  
14 Geoffrey C. Klingsporn , Assistant City Attorney,  
15 Wendy J. Shea, Assistant City Attorney,  
16 Conor D. Farley, Assistant City Attorney,  
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