



“The duty to confer is not required in all cases. Conferring would obviously be inappropriate prior to a motion for temporary restraining order, a motion to dismiss, a motion for judgment on the pleadings, a motion for summary judgment, a motion during trial or a post-judgment motion. There may also be instances where conferring would be useless under the circumstances.”

Under this rule, there is no need to confer when conferral would be useless. Conferring with Harrington over a motion to strike his filings would truly be useless. Further, the rule explicitly states that there is a duty to confer with “opposing counsel” and thus the rule does not apply to Harrington, who is not an attorney, but a *pro se* plaintiff.

Harrington also argues that the Motion to Strike is not properly before the court because Wilson is not a party to the action. Wilson, however, does have standing because Harrington is attacking her, asserting scandalous and false accusations and attempting to hoodwink the Court into entering sanctions against her. Harrington is gone far afield in hopes of continuing his long-held grudge and Wilson must be allowed to defend herself.

WHEREFORE based on the foregoing, Ms. Wilson requests the Court grant Wilson’s Motion to Strike.

Dated this 19<sup>th</sup> day of December, 2008.

Respectfully submitted,

*Original signature on file at the offices of  
Huff & Leslie, LLP per C.R.C.P. Rule 121 § 1-26(9)*

By: s/Brett N. Huff

Brett N. Huff, #32071

ATTORNEY FOR MADELINE WILSON, ESQ.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on December 19, 2008, a true and correct copy of the foregoing was sent by email as service upon the following:

Sean Harrington  
PO Box 351855  
Westminster, CO 80035-1855  
[esoxlucios@msn.com](mailto:esoxlucios@msn.com)

David H. Yun  
Jaudon & Avery, LLP  
1660 Wynkoop Street, #1010  
Denver, CO 80202  
[dyun@jalegal.com](mailto:dyun@jalegal.com)

*Original signature on file at the offices of  
Huff & Leslie, LLP per C.R.C.P. Rule 121 § 1-26(9)*

---

/s/ Brett N. Huff