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| DISTRICT COURT, JEFFERSON COUNTY, COLORADO<br><br>Court Address:<br>100 Jefferson County Parkway<br>Golden, CO 80401-6002<br>Phone: (303) 271-6215   |   |
| <b>Petitioner:</b><br>CHRISTY RYAN<br>v.<br><b>Respondent:</b><br>SEAN HARRINGTON  | <b>▲ COURT USE ONLY ▲</b><br><br>Case Number: 99 DR 3717<br>Div.: 9 |
| <b>Attorneys for Madeline Wilson, Esq.:</b><br><br><b>Huff &amp; Leslie, LLP</b><br>Brett N. Huff, #320771<br>2480 Gray Street<br>Denver, Colorado 80214<br>(303) 232-3622<br><a href="mailto:BHuff@HuffandLeslie.com">BHuff@HuffandLeslie.com</a> |   |
| <b>Wilson’s Response to Father’s Forthwith Motion for Continuance and Motion <i>in Limine</i></b>  |   |

Madeline Wilson, Esq., by and through her attorney, Brett N. Huff of the law firm Huff and Leslie, LLP, hereby requests the court to deny Father’s (“Harrington’s”) motion for the following reasons:

**A. Harrington’s Motion Should Be Denied Because He Is Using the Pretense of “New Evidence” As An Excuse to Delay his Sanctions.**

1. Harrington agreed upon the October 8<sup>th</sup> date of the Hearing. In fact, he requested to appear by telephone, since he does not reside in Colorado, and the undersigned had no objection.

2. Harrington has carried on his baseless vendetta against Madeline Wilson for more than eight (8) years. He has filed actions against her in Jefferson County Court, Jefferson County District Court, and the U.S. District Court District Court for the District of Colorado. By and large, his filings have been deemed groundless, frivolous and vexatious. He has filed numerous grievances against her, her attorney and judges in his misguided efforts to abuse the legal system. He finally faces the consequences for his legal misconduct in this Court and now he claims that he has discovered new evidence, in an effort to avoid justice.

3. Harrington has exclaimed many times before that he has found “new evidence” to prolong his case, to try and avoid the statute of limitations, to continue his unquenchable thirst for discord.

4. Harrington’s newly hatched evidence is a disingenuous smokescreen as is his purported Motion for Limited Remand, as he seeks to avoid the sanctions that were properly imposed against him, and as he continues to carry out his vexatious, baseless, and groundless vendetta against his ex-wife’s attorney.

**B. Harrington Bases for his Request for Continuance on a Motion For Limited Remand, In Which He Seeks to Have This Court Overturn it February 24, 2009 Order, However, Harrington Did not Seek Reconsideration Within the Reasonable Time Period of Six Months Pursuant to Rule 60(b)(2).**

5. Harrington claims that this Court should re-examine this new evidence and overturn its February 24, 2009 Order After Remand.

6. Harrington, however, filed his Motion for Limited Remand on September 28<sup>th</sup>, 2009.

7. Rule 60(b)(2) requires that motions to reconsider be filed within a reasonable time period, not more than six (6) months following a final judgment, order, or proceeding.

8. Harrington filed his motion more than six (6) months after the order was entered. As such, he failed to file the motion within a reasonable time period. Harrington is precluded under Rule 60(b)(2), and so his motion should be denied a futile and contrary to Rule 60.

**C. Harrington Failed to Confer Pursuant to Rule 121, §1-15 (8) and his Motion Should be Denied Procedurally.**

9. C.R.C.P. 121, §1-15 (8) requires a moving party to confer with opposing counsel before filing a motion with the Court.

10. The policy this requirement is for the parties to discuss and try to reach agreements prior to involving the courts to conserve judicial resources.

11. In this case, and very tellingly, Harrington advised that he wanted a continuance based on newly discovered evidence. He did not advise the court nor counsel the content of the purported new evidence.

12. Under the circumstances, Harrington refused to identify or provide his newly discovered evidence, so the undersigned requested a copy of the motion Harrington was going to file, to assess the newly discovered evidence and to provide a response to his position on the matter.

13. Harrington refused to identify the newly discovered evidence, refused to provide a copy of the motion to the undersigned to review and asses, and so Harrington placed the undersigned in no other position other than to oppose the motion.

14. Harrington's failure to comply with the rules is a proper basis to deny his motion and it should be denied.

WHEREFORE, based on the legal authority and arguments herein, Harrington's Forthwith Motion for Continuance and Motion in *Limine* should be denied.

DATED this 5<sup>th</sup> day of October, 2009.

Respectfully submitted,

*Original signature on file at the offices of  
Huff & Leslie, LLP*

By: s/Brett N. Huff

Brett N. Huff, #32071

HUFF & LESLIE, LLP

ATTORNEYS FOR MADELINE WILSON

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on October 5, 2009 a true and correct copy of the foregoing was electronically filed with LexisNexis and served upon the following:

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*Original signature on file at the offices of  
Huff & Leslie, LLP*

s/Brett Huff

For Huff & Leslie, LLP