

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 1:25-cv-03530-RBJ

ACA INTERNATIONAL and
FRESNOCREDIT BUREAU,

Plaintiffs,

v.

ADMINISTRATOR OF THE UNIFORM
CONSUMER CREDIT CODE, MARTHA
FULFORD, in her official capacity,

Defendant.

JOINT MOTION TO ENTER SCHEDULING ORDER

Plaintiffs ACA International and Fresno Credit Bureau, and Defendant Administrator of the Uniform Consumer Credit Code, by and through their respective counsel of record, submit this Joint Motion to Enter Scheduling Order, and state as follows:

Certificate of Compliance with D.C.COLO.LCivR 7.1(a): In accordance with the requirements of D.C.COLO.LCivR 7.1(a), undersigned counsel certify that they have conferred in good faith regarding this motion and concur in the requested relief.

1. Plaintiffs filed their amended complaint on January 9, 2026. ECF No. 15. Pursuant to the scheduling order approved by the Court, Defendant's response to the amended complaint was due on February 9, 2026. ECF Nos. 12, 13.

2. On February 5, 2026, Defendant filed a pre-motion letter pursuant to the Court's rules outlining the grounds for her proposed motion to dismiss the amended complaint in part. ECF No. 16. Plaintiffs filed a responsive letter on February 12, 2026. ECF No. 19.

3. On February 13, 2026, the Court entered a minute order reflecting the Court's finding that the parties' letters "raise legal issues that potentially could be decided at the motion to dismiss stage." ECF No. 20.

4. Accordingly, the parties respectfully propose the following briefing schedule for Defendant's motion to dismiss.

- a. **Deadline for Defendant to file her motion to dismiss:** March 13, 2026;
- b. **Deadline for Plaintiffs to file a response in opposition to the motion filed by Defendant:** April 13, 2026;
- c. **Deadline for Defendant to file a reply in support of the motion:** May 4, 2026.

5. The parties submit that good cause exists for the requested schedule. The extension of each party's time to file their motion papers is not sought for purposes of delay, but to set a schedule that ensures the litigation proceeds in an efficient and organized manner. The parties have submitted this proposed schedule promptly after receiving notice of the Court's order allowing briefing on the motion to dismiss to proceed. Additionally, as described in Defendant's pre-motion letter, Defendant's motion will address both jurisdictional and constitutional issues, and thus the proposed schedule will provide the parties with adequate time to properly brief these complex issues.

DATED: February 17, 2026

BROWNSTEIN HYATT FARBER
SCHRECK, LLP

BY: Sarah J. Auchterlonie

Sarah J. Auchterlonie, Bar No. 50932
sauchterlonie@bhfs.com

Adam E. Lyons, Bar No. 61816
alyons@bhfs.com

Eric D. Walther, Bar No. 61010
ewalther@bhfs.com

Courtney E. Bartkus, Bar No. 50193
cbartkus@bhfs.com

675 15th Street, Suite 2900
Denver, Colorado 80202
Phone: 303-223-1100
Fax: 303-223-1111

and

Leah C. Dempsey, DC Bar No. 1033593

600 Massachusetts Avenue, NW
Washington, D.C. 20001
Phone: 202-296-7353
Fax: 202-296-7009

Attorneys for Plaintiffs

PHILIP J. WEISER, ATTORNEY GENERAL

BY: /s/Talia Boxerman Kraemer

Kevin James Burns
Colorado Attorney General's Office
1300 Broadway
Denver, CO 80203
720-508-6000
Email: Kevin.Burns@coag.gov

Talia Boxerman Kraemer
Colorado Attorney General's Office
1300 Broadway
Denver, CO 80203
720-508-6000
Email: talia.kraemer@coag.gov

Attorneys for Defendant

CERTIFICATE OF SERVICE

The parties hereby certify that on this 17th day of February 2026, a true and correct copy of the foregoing **JOINT MOTION TO ENTER SCHEDULING ORDER** was served via ECF on the parties of record listed below:

Sarah J. Auchterlonie
sauchterlonie@bhfs.com
Adam E. Lyons
alyons@bhfs.com
Eric D. Walther
ewalther@bhfs.com
Courtney E. Bartkus
cbartkus@bhfs.com
675 15th Street, Suite 2900
Denver, Colorado 80202
Phone: 303-223-1100
Fax: 303-223-1111

And

Leah C. Dempsey
600 Massachusetts Avenue,
NW Washington, D.C. 20001
Phone: 202-296-7353
Fax: 202-296-7009

/s/ Mellisa Lambeth
Mellisa Lambeth, Paralegal