

Colorado Independent Judicial Discipline Adjudicative Board	<p><b>Filed 12/4/2025</b></p> <p><b>▲ COURT USE ONLY ▲</b></p>
<p>IN RE THE MATTER OF THE PEOPLE OF THE STATE OF COLORADO,</p> <p>Complainant,</p> <p>v.</p> <p>IAN JAMES MACLAREN, A County Court Judge of the 22<sup>nd</sup> Judicial District,</p> <p>Respondent.</p>	
<p><b><i>Attorney for Respondent:</i></b>  Kevin M. McGreevy, #27407  RIDLEY, MCGREEVY &amp; WINOCUR, P.C.  303 16<sup>th</sup> Street, Suite 200  Denver, Colorado 80202  (303) 629-9700  (303) 629-9702 fax  <a href="mailto:mcgreevy@ridleylaw.com">mcgreevy@ridleylaw.com</a></p>	<p>Case No.:</p> <p>Div./Ctrm.:</p>
<p align="center"><b>REPLY TO COMMISSION’S RESPONSE TO MOTION TO APPLY RULES OF CIVIL PROCEDURE</b></p>	

Respondent Ian MacLaren, through counsel, submits this Reply to the Colorado Commission on Judicial Discipline’s Response to the Respondent’s Motion to Apply the Rules of Civil Procedure and states as follows:

### INTRODUCTION

On November 21, 2025, the Colorado Commission on Judicial Discipline (“the Commission”) filed a Response to the Respondent’s Motion to Apply the Rules of Civil Procedure. In its response, the Commission concedes that the Colorado Constitution requires that the Colorado Rules of Civil Procedure govern the formal disciplinary process in this case and requests that the Adjudicative Panel issue an order indicating such. *See People’s Response*

to Judge MacLaren’s Motion to Apply the Rules of Civil Procedure in this Case, p. 4. The Respondent agrees that such an order is appropriate and likewise requests that the Adjudicative Panel issue such an order. We have proposed an order to that effect, as well as addressing the additional concerns raised by these pleadings.

### **SCOPE OF THE ORDER**

The Respondent requests that the Adjudicative Panel’s order affirm that the Colorado Rules of Civil Procedure shall apply to this matter, and in furtherance of those rules, that the parties confer on a case management order (“CMO”) to address the discovery and procedural issues normally contained in a CMO. On October 23, 2025, the Respondent sent Mr. Walsh a draft CMO that tracked the Colorado Rules of Civil Procedure. Understandably, given the back and forth on what rules should apply, the Commission has not yet responded to our draft. Also given the lapse of time determining the appropriate rules to be applied, Respondent requests that the order allow Respondent seven (7) days from the issuance of the order to resend Mr. Walsh a new draft CMO, and the Commission would have seven days to confer or counter-propose matters, and the Respondent and Commission submit either a joint CMO or counter-proposed CMOs 14 days after the Adjudicative Panel issues its order on the applicability of the Colorado Rules of Civil Procedure.

### **Initial Disclosures Will Aid in Shaping the Decisions About Discovery and Procedure.**

Under the Colorado Rules of Civil Procedure, required initial disclosures “shall be served within 28 days” after the case is at issue as defined by C.R.C.P 16(b)(1) “unless otherwise ordered by the court or stipulated by the parties.” *See* C.R.C.P. 26(a). The parties have yet to exchange initial disclosures in this matter, given the ongoing dispute over rules. The parties have recently stipulated that such disclosures shall be exchanged on December 5, 2025.

Because initial disclosures have not been exchanged in this matter, it is challenging for the parties to submit proposed CMOs or make intelligent arguments regarding the appropriate scope of discovery in this matter. The Colorado Rules of Civil Procedure recognize a party's need to review initial disclosures prior to submitting a proposed CMO or arguing for specific discovery deadlines. The Colorado Rules of Civil Procedure call for initial disclosures to be made within 28 days of a case's "at issue" date. Regarding proposed CMOs, the Colorado Rules of Civil Procedure require that such orders be submitted "not later than 42 days after the case is at issue and at least 7 days before the case management conference." *See* C.R.C.P. 16(b).

The space in time between the due dates for initial disclosures and the submission of proposed CMOs is not by accident since initial disclosures provide parties with their first meaningful look at the scope of the opposing party's case. Absent such disclosures, it is extremely difficult to contemplate what, if any, additional discovery in the form of interrogatories, requests for documents, and/or depositions might be necessary. Without such information, it is impossible to determine the appropriate scope of discovery and/or appropriate case management deadlines. Thus, while the Colorado Rules of Civil Procedure mandate a 14-day lapse in time between the exchange of initial disclosures, the exchange of proposed CMOs, and a case management conference, we believe that timeline in this case could be adjusted as outlined above.

## **CONCLUSION**

For the reasons set forth above, the Respondent respectfully requests the following: 1) the issuance of an order by the Adjudicatory Panel finding that the Colorado Rules of Civil Procedure shall apply to this matter; 2) an Order directing the parties to exchange CMOs seven days following the issuance of an order by this Adjudicative Panel, followed by seven days to confer and either resolve disputes or highlight disputed areas of the CMO; 3) scheduling a case management conference following the submission of the CMO (or disputed CMOs).

Respectfully submitted,

RIDLEY, MCGREEVY & WINOCUR, P.C.

*s/ Kevin M. McGreevy*

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Kevin M. McGreevy, #27407

*Attorney for Respondent Ian MacLaren*

## **CERTIFICATE OF SERVICE**

I hereby certify that on this 2<sup>nd</sup> day of December 2025, I served a true and correct copy of the foregoing **REPLY TO COMMISSION'S RESPONSE TO APPLY RULES OF CIVIL PROCEDURE** via electronic mail, addressed to the following:

Jeffrey M. Walsh, Special Counsel  
Colorado Commission on Judicial Discipline  
1300 Broadway, Suite 210  
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[j.walsh@jd.state.co.us](mailto:j.walsh@jd.state.co.us)

*s/ Polly Ashley*

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