

K. Schutt

From: Virginia Farver <vrfarv@hotmail.com>
Sent: Thursday, July 21, 2016 6:31 PM
To: kschutt@wicklaw.com
Subject: Virginia Farver - Fort Collins Smart Meters

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July 21, 2016

Ms. Schutt,



My rule 26(a)(1) disclosures:

(A) the name and, if known, the address and telephone number of each individual likely to have discoverable information relevant to the claims and defenses of any party and a brief description of the specific information that each such individual is known or believed to possess;

City Council Members: Asslyn Kotwitz, Lisa Poppaw, Karen Weitkunat, Mayor Doug Hutchinson, Kelly Ohlson, Ben Manvel. Also John Bleem, Kevin Gertid and Steve Catanach from Utility Services. Addresses and phone numbers unknown to Plaintiff at this time.

The Council members are believed to possess information on the City Council's discussions about the AMFC project and the Council's communications with Utility Services about the Project including the details: who, what, where, when, how and why.

(B) a listing, together with a copy of, or a description by category, of the subject matter and location of all documents, data compilations, and tangible things in the possession, custody or control of the party that are relevant to the claims and defenses of any party, making available for inspection and copying such documents and other evidentiary material, not privileged or protected from disclosure, as though a request for production of those documents had been served pursuant to C.R.C.P. 34;

Description by category: the emails between Plaintiff and the City or any of its agents related to the AMFC Project and Plaintiff's Open Records Act request for the resolution / ordinance etc. authorizing the Project.

Because this was all correspondence between Plaintiff and the City or any of its agents, the latter already have copies. As such it does not appear reasonable for Plaintiff to make and provide copies to the City.

I am working on this and will send you the rest soon.

(C) a description of the categories of damages sought and a computation of any category of economic damages claimed by the disclosing party, making available for inspection and copying pursuant to C.R.C.P. 34 the documents or other evidentiary material relevant to the damages sought, not privileged or protected from disclosure, as though a request for production of those documents had been served pursuant to C.R.C.P. 34; and

Category of Damages: the monthly meter reading charge of \$11.00 that I have been paying, the attorney fee I paid several years ago, and the cost of filing this action (including the filing fee & the amount for serving Steve Catanach through the Sheriff's Office

(D) any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for

payments made to satisfy the judgment, making such agreement available for inspection and copying pursuant to C.R.C.P. 34.

Plaintiff is not aware of any such insurance agreement.

Also, we believe the City should provide, in case it has not already done so under part (B) of Rule 26(a)(1) Location will be in the City's files, either Utility Services' files or the Council's files or the City Manager's files.

Subject matter is

Copies of correspondence between City Council & City staff including Fort Collins Utilities, about the AFMC Project from the very 1st such messages until the dates of the Resolution by which the City Council authorized the City to buy the smart meters.

Thank you.

Virginia Farver