

<p>FORT COLLINS MUNICIPAL COURT 215 N. Mason Fort Collins, CO 80521 Phone (970) 221 6800</p>	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
<p>Plaintiffs: Colleen Hoffman, Rick Hoffman, Ann Hunt</p> <p>v.</p> <p>Defendant : THE CITY COUNCIL OF THE CITY OF FORT COLLINS, the governing body of a Colorado municipal corporation; and THE ADMINISTRATION BRANCH OF THE CITY OF FORT COLLINS, by and through its City Manager, Darin Atteberry.</p>	
<p>Parties without attorney</p> <p>Colleen Hoffman, pro se 1804 Wallenberg Drive Fort Collins, CO 80526 (970) 484 8723 cohoff@comcast.net</p> <p>Rick Hoffman, pro se 1804 Wallenberg Fort Collins, CO 80526 (970) 484 5154 rick-hoffman@comcast.net</p> <p>Ann Hunt, pro se 1800 Wallenberg Drive Fort Collins, CO 80526 (970) 484 5242 ARH4@COMCAST.NET</p>	<p style="text-align: center;">Reply Brief in Support of Motion for Disqualification of Judge Pursuant to Rule 97 C.R.C.P. and Motion for Expansion of Time for Filing Opening Brief</p>

Pursuant to C.R.C.P. Rule 121 section 1-15, Plaintiffs, Colleen Hoffman, Rick Hoffman and Ann Hunt reply here to the Response filed by the Defendants to our Motion for Disqualification.

As *pro se* litigants in this matter, the Plaintiffs herein use the plural pronouns (we, us, our) to refer to themselves. Unless otherwise noted, all references to the Plaintiffs in this pleading where a statement of position on any matter is made or inferred indicate a jointly adopted position agreed to by all 3 individual plaintiffs.

In this Reply Brief, we reaffirm all statements made in our Motion. We support these statements with a sworn affidavit to be filed simultaneously with this Brief and thereby eliminate any possibility of the deficiency noted by the Defendants in the Response.

We also note that the Defendants did not address one of the two prongs of our case for the disqualification of Theresa Ablao in this case. In the second paragraph of page 3 of our original motion, we stated:

We also allege here that Theresa Ablao is connected with the Defendants and their attorneys so as to render it improper for her to preside over this proceeding. This allegation has, as its basis, the simple fact that the Defendant City Council appointed Theresa Ablao to her two- year position as a judge of the municipal court and Judge Ablao is reliant upon the Defendant for re-appointment to continue in this position.

The absence of any response from the Defendants to this allegation must be viewed by this court as an acknowledgment of the merits of the argument. It appears that the Defendants are in agreement that Rule 97 operates to eliminate conflicts of interest that might be present. It is undeniable that a Judge that is dependent upon the Defendant in a case for reappointment to his or her position finds himself or herself in a compromised position with an inherent conflict of interest.

WHEREFOR, we respectfully repeat our request that this court find that Theresa Ablao is disqualified from presiding over this matter.

We further repeat our request that all previous Orders made by Judge Ablao be reviewed by her replacement based upon the current record before the court as of this date with proper action taken *sua sponte* upon completion of such review.

We further repeat our request that an expansion of time for filing an opening brief in this matter be granted to require filing of an opening brief no later than 7 days after a ruling on this Motion is made.

Respectfully submitted this 5th day of July, 2017.

Colleen Hoffman

Rick Hoffman

Ann Hunt

Colleen Hoffman

Rick Hoffman

Ann Hunt

1804 Wallenberg Dr. Ft. Collins, CO 80526 Address of Lead Plaintiff

I, Colleen Hoffman, being over the age of eighteen years and duly sworn, hereby attest and swear that all statements made in our MOTION FOR DISQUALIFICATION OF JUDGE PURSUANT TO RULE 97 AND MOTION FOR EXPANSION OF TIME FOR FILING OPENING BRIEF are true and correct to the best of my knowledge and belief. Also, that I am authorized to file this pleading on behalf of co-plaintiffs Rick Hoffman and Ann Hunt.

Colleen Hoffman

Colleen Hoffman

STATE OF COLORADO

COUNTY OF LARIMER SS.

Subscribed and sworn to before me this 5 day of July, 2017

By Colleen Hoffman

[Signature]

Notary Public

My Commission expires: May 1, 2021

Witness my hand and official seal.

