

<p>DISTRICT COURT, LARIMER COUNTY, COLORADO Larimer County Justice Center 201 La Porte Avenue Suite 100 Fort Collins, CO 80521 970-494-3500</p>	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
<p>Plaintiff: CITY OF FORT COLLINS, a Colorado municipal corporation; and Poudre Fire Authority, a Colorado public entity,</p> <p>v.</p> <p>Defendant: KEITH GILMARTIN, an individual.</p>	
<p>Kelley B. Duke, #35168 Benjamin J. Larson, #42540 IRELAND STAPLETON PRYOR & PASCOE, PC 717 17th St., Suite 2800 Denver, Colorado 80202 Telephone: (303) 623-2700 Fax No.: (303) 623-2062 E-mail: kduke@irelandstapleton.com blarson@irelandstapleton.com SPECIAL COUNSEL FOR THE CITY OF FORT COLLINS; ATTORNEYS FOR Poudre Fire Authority</p> <p>Keith Gilmartin 3316 W. Vine Drive Fort Collins, CO 80521 Pro Se Defendant</p>	<p>Case No.: 16CV31096 Div.: Ctrm: 3C</p>
<p style="text-align: center;">STIPULATED MOTION FOR ENTRY OF PRELIMINARY INJUNCTION</p>	

Plaintiffs the City of Fort Collins, a Colorado municipal corporation (the "City"), and the Poudre Fire Authority, a Colorado public entity (the "Authority", collectively, "Plaintiffs") by and through their undersigned counsel, IRELAND STAPLETON PRYOR & PASCOE, PC, and

Defendant Keith Gilmartin, appearing *pro se*, jointly file this Stipulated Motion for Entry of Preliminary Injunction, stating as follows:

1. On June 6, 2017, Plaintiffs filed a Motion for Temporary Restraining Order and Preliminary Injunction against Mr. Gilmartin.

2. A hearing was held on the Motion for Temporary Restraining Order at 9 a.m., June 8, 2017. Plaintiffs' counsel and Mr. Gilmartin appeared.

3. At the conclusion of the hearing, the Court entered a temporary restraining order against Mr. Gilmartin, a copy of which is attached hereto as **Exhibit A** ("TRO"). The TRO is in effect until such time as the Court rules on Plaintiffs' Motion for Preliminary Injunction or until the Court orders otherwise; provided, however, that the TRO expires after 14 days unless Plaintiffs have scheduled a hearing on their Motion for Preliminary Injunction.

4. The parties scheduled a hearing for June 28, 2017.

5. Because trial is only two months away and in order to avoid a hearing on Plaintiffs' Motion for Preliminary Injunction in the interim, the parties have stipulated to the entry of a preliminary injunction against Mr. Gilmartin ("Preliminary Injunction"), the practical effect of which is to extend the TRO through such time as the Court issues a final judgment on the merits of all of Plaintiffs' claims or until the Court orders otherwise.

6. A proposed order granting the Preliminary Injunction in the form agreed upon by the parties is being filed herewith ("Proposed Order"). The parties waive any rights to a hearing on Plaintiffs' Motion for Preliminary Injunction, request that the hearing set for June 28, 2017 be vacated, and consent to the Court entering the Proposed Order without a hearing.

WHEREFORE, the parties respectfully request that the Court enter the Proposed Order granting the Preliminary Injunction.

Respectfully submitted this 27th day of June, 2017.

IRELAND STAPLETON PRYOR & PASCOE, PC

Signed original on file at the office of
Ireland Stapleton Pryor & Pascoe, PC

/s/ Kelley B. Duke

Kelley B. Duke, #35168

Benjamin J. Larson, #42540

Special Counsel for the City of Fort Collins

Attorneys for Poudre Fire Authority

/s/ Keith Gilmartin

Keith Gilmartin

3316 W. Vine Drive

Fort Collins, CO 80521

Pro Se Defendant

CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of June, 2017, a true and correct copy of the foregoing was served via U.S. Postal Service, first class mail, postage prepaid and addressed as follows:

Keith Gilmartin
3316 W. Vine Drive
Fort Collins, CO 80521

And served via email to:
keithgil2@gmail.com

*SIGNED ORIGINAL ON FILE AT THE OFFICE OF
IRELAND STAPLETON PRYOR & PASCOE, PC*

/s/ Barbara Biondolillo

Barbara Biondolillo