

<p><b>FORT COLLINS MUNICIPAL COURT</b>  215 N. Mason  Fort Collins, CO 80521  Phone (970) 221 6800</p>	
<p><b>Plaintiffs:</b> Eric Sutherland, J &amp; M Distributing, DBA Fort Collins Muffler and Automotive</p> <p>v.</p> <p><b>Defendant :</b> 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><b>Indispensable party:</b> Craig Russell, Applicant</p>	<p style="text-align: center;">▲ COURT USE ONLY ▲</p> <p>Case Number:  2018civil01</p>
<hr/> <p><b>Parties without attorney</b>  Eric Sutherland  3520 Golden Currant  Fort Collins, CO 80521  (970) 224 4509  sutherix@yahoo.om</p> <p>J &amp; M Distributing, DBA Fort Collins Muffler and Automotive  Brian Dwyer, President  2001 S. College Ave.  Fort Collins, CO 80525  (970) 484 0866  bdwyer1199@gmail.com</p>	
<p style="text-align: center;"><b>Affadavit in Support of Motion for Disqualification of Judge Pursuant to Rule 97 C.R.C.P.</b></p>	

Pursuant to C.R.C.P. Rule 97, Plaintiff Eric Sutherland provides this Affadavit to the Court

I swear and affirm that all statements made in the Motion for Disqualification of Judge Pursuant to Rule 97 C.R.C.P. , which was filed in combination with a Motion for Expansion of Time today, May 17, 2018, are true and correct to the best of my knowledge and belief including but not limited to:

1.) At the present time, I have commenced a civil action in the 8<sup>th</sup> District Court, 2018CV149, which names the Larimer County Assessor, Steve Miller, and the Larimer County Treasurer, Irene Josey, as defendants. This same lawsuit also names the City of Fort Collins as a defendant.

2.) I intend to broaden the scope of the claims in 2018CV149 or file a separate lawsuit alleging violation of laws by Larimer County officials in association with levying an unlawful abatements and refund tax, unlawfully placing ‘delinquencies’ of the Boxelder Stormwater Authority on property tax notices and failing to comply with the requirements of the Urban Renewal Authority and Downtown Development Authority statutes.

I, Eric Sutherland, being first duly sworn upon my oath that I am over the age of eighteen years, that I am a registered elector and citizen of the City of Fort Collins, have prepared and read the foregoing AFFADAVIT IN SUPPORT OF MOTION FOR DISQUALIFICATION OF JUDGE PURSUANT TO RULE 97 C.R.C.P. and the facts stated herein are true and accurate to the best of my knowledge and belief.

---

Eric Sutherland

STATE OF COLORADO)  
COUNTY OF LARIMER) SS.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2018 by Eric Sutherland.