

DISTRICT COURT, LARIMER COUNTY, COLORADO Court Address: 201 La Porte Avenue Fort Collins, CO 80521 Phone Number: (970) 494-3500	DATE FILED: July 18, 2018 8:12 PM FILING ID: BF0E70FBC34B1 CASE NUMBER: 2018CV149
<p>Plaintiff: ERIC SUTHERLAND, <i>pro se</i></p> <p>v.</p> <p>Defendants: THE CITY OF FORT COLLINS, a home rule municipality in the State of Colorado; STEVE MILLER, in his capacity as the Larimer County Assessor and all successors in this office; IRENE JOSEY, in her capacity as the Larimer County Treasurer and all successors to this office; and</p> <p>Indispensable Parties: THE TIMNATH DEVELOPMENT AUTHORITY, an Urban Renewal Authority; and COMPASS MORTGAGE CORPORATION, an Alabama company doing business in Colorado.</p>	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
Attorneys for Defendant City of Fort Collins: John W. Mill (#22348) Amanda Levin Milgrom (#47871) Sherman & Howard L.L.C. 633 17th Street, Suite 3000 Denver, CO 80202 Phone Number: (303) 297-2900 Email: jmill@shermanhoward.com amilgrom@shermanhoward.com	Case No.: 2018CV149 Courtroom/Division: 3C
ORDER GRANTING MOTION TO DISMISS OF THE CITY OF FORT COLLINS	

THIS MATTER is before the Court on the Motion to Dismiss of the City of Fort Collins (“the Motion”). The Court, having reviewed the Motion and being otherwise advised in the premises, hereby makes the following orders:

1. The Motion is **GRANTED**; and

2. All claims by Plaintiff Mr. Eric Sutherland against The City of Fort Collins (Claims 12-19 in Plaintiff's Complaint) shall be and are hereby dismissed with prejudice pursuant to C.R.C.P. 12(b)(1) for lack of standing, based on C.R.S. § 11-57-210 because the 2018 Bonds have been delivered for value and pursuant to C.R.C.P. 12(b)(5) for failure to state a claim upon which relief may be granted.

3. The Court previously entered its Order Granting Defendants Timnath Development Authority and Compass Mortgage Corporation's Joint Motion to Dismiss (July 11, 2018) (dismissing claims 1-11 in Plaintiff's Complaint). Therefore, this Order disposes of all remaining claims of Plaintiff and the Complaint has been dismissed in its entirety.

IT IS SO ORDERED.

Issue Date: _____

THE HONORABLE GREGORY M. LAMMONS
District Court Judge