

SEP 24 2018

8th DISTRICT COURT LARIMER COUNTY JUSTICE CENTER Court Address: 201 Laporte Avenue Fort Collins, CO 80521 Phone (970) 494-3500	DATE FILED: September 24, 2018 CASE NUMBER: 2018CV149
Plaintiff: Eric Sutherland, <i>pro se</i> v. 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 to this office; IRENE JOSEY, in her capacity as the Larimer County Treasurer and all successors to this office; And Indispensable Parties: THE TIMNATH DEVELOPMENT AUTHORITY, an Urban Renewal Authority; and COMPASS MORTGAGE CORPORATION, an Alabama company doing business in Colorado.	▲ COURT USE ONLY ▲
Party without attorney: Eric Sutherland, <i>pro se</i> 3520 Golden Currant Boulevard Fort Collins, CO 80521 Phone Number: (970) 224 4509 E-mail: sutherix@yahoo.com	Case #: 2018CV149 Division: 3C
PROPOSED ORDER: PLAINTIFF'S MOTION FOR RECONSIDERATION OF GRANT OF ATTORNEYS' FEES AND BILL OF COSTS	

This matter comes before the Court on Plaintiff, Eric Sutherland's, *Motion for Reconsideration of Grant of Attorneys' Fees and Bill of Costs*.

This Court, being properly advised of all matters raised by the Plaintiff, hereby FINDS and ORDERS as follows:

Plaintiff has established a rational basis underlying all aspects of the case brought here in regards to his claim of standing to assert deprivation of property without due process under Article II section 25 of the Colorado Constitution.

Although this Court did not agree with the Plaintiff's position on his standing in this matter, the rational basis underlying all aspects of his case indicates that the Plaintiff did not know nor should he have known that his action was substantially frivolous, substantially groundless, or substantially vexatious.

Under the C.R.S. § 13-17-102(6), a self represented litigant may not be awarded against an unrepresented party that party did not know or should have known that his or her action was frivolous.

This Court's Order of September 10, 2018 is hereby vacated.

By _____ **Dated** _____

District Court Judge.