

<p><b>8<sup>th</sup> DISTRICT COURT</b>  <b>LARIMER COUNTY JUSTICE CENTER</b>          Court Address: 201 Laporte Avenue          Fort Collins, CO 80521          Phone (970) 494-3500</p>	<p>DATE FILED: March 6, 2019          CASE NUMBER: 2018CV149</p>
<p><b>Plaintiff:</b> Eric Sutherland, <i>pro se</i></p> <p>v.</p> <p><b>Defendants :</b> THE CITY OF FORT COLLINS, a home rule municipality in the state of Colorado; BOB OVERSTEVE 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;</p> <p>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>
<p><b>Party without attorney:</b>          Eric Sutherland, pro se          3520 Golden Currant Boulevard          Fort Collins, CO 80521          Phone Number: (970) 224 4509          E-mail: sutherix@yahoo.com</p>	<p>Case #: 2018CV149          Division:</p>
<p style="text-align: center;"><b>PROPOSED ORDER: MOTION TO VACATE ORDER GRANTING DEFENDNT'S MOTIONS TO DISMISS AS TO CITY OF FORT COLLINS, STEVE MILLER AND IRENE JOSEY PURSUANT TO RULE 60(B)</b></p>	

This Court hereby FINDS and ORDERS that

- 1) Plaintiff's has alleged sufficient facts for this court to find that Plaintiff may rely upon the broad grant of standing provided by the Colorado Open Meetings Law C.R.S. §24-6-402(9) to assert standing and this court does have subject matter jurisdiction to hear and decide Plaintiffs First and Twelfth Claim .

- 2) This Court's Order Granting Defendant's Motions to Dismiss as to City of Fort Collins, Steve Miller and Irene Josey is hereby vacated.
  
- 3) To the extent that Defendant City of Fort Collins may defend against any claim by virtue of recitals applied to its bonds pursuant C.R.S. §11-57-210, such a defense is properly made when defending on the merits of the case.

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District Court Judge.