

<p><b>8<sup>th</sup> District Court</b>          Larimer County, Colorado          201 Laporte Ave          Fort Collins, Co 80521</p> <hr/> <p>In the matter of:</p> <p>Eric Sutherland .... Plaintiff</p> <p>v.</p> <p>City of Fort Collins <i>et al</i> ... defendants</p>	<p>FILED IN COMBINED COURTS          LARIMER COUNTY COLORADO</p> <p>2019 MAR 14 PM 1:36</p> <p>DATE FILED: March 14, 2019          CASE NUMBER: 2018CV149</p> <p>▲ COURT USE ONLY ▲</p> <p>Case Number: 2018CV149</p> <p>Division: 5B</p>
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**AFFIDAVIT OF SERVICE**

I declare under oath that, I am 18 years or older and not a party to the action and that I served the attached subpoena on **Delynn Coldiron**, in Larimer County, Colorado ,

on MARCH 14, 2019 (date)

Check one:

- By handing it to a person identified to me as DELYNN COLDIRON  
 At City Hall of Fort Collins, CO
- By handing the person identified to me as \_\_\_\_\_

at \_\_\_\_\_

Private process server

I have charged the following for this service.

Fee \$ 10.00 Mileage \$ 0.00

Jay L Sw  
 Signature of Process Server

GAYLEN GROVES  
 Name (Print or type)

My Commission Expires: \_\_\_\_\_

[Signature]  
 Notary Public / Deputy Clerk

3-14-19  
 Date



EXHIBIT 1

8<sup>th</sup> District Court  
 Larimer County, Colorado  
 201 Laporte Ave  
 Fort Collins, Co 80521

*I Amoret of  
 town*

In the matter of:

DATE FILED: November 14, 2018

▲ COURT USE ONLY ▲

Town of Timnath, Timnath Development Authority ... Plaintiffs

Case Number: 2018CV030567

v.

Division: 3C

Eric Sutherland ... Defendant

**SUBPOENA To ATTEND And PRODUCE**

Jill Grossman-Belisle, Mayor, Town of Timnath also, former Chairperson, Timnath Development Authority, now deceased.

You are ordered to:

**Attend** and give testimony at a trial at the 8<sup>th</sup> District Court in Courtroom 3C, at 201 Laporte Avenue, Fort Collins Colorado 80521, on November 29<sup>th</sup> at 8:30 am and on November 30<sup>th</sup> at 8:30 am as a witness for Eric Sutherland.

**Produce:** 1) any and all evidence indicating the appropriation of any and all revenues attributable to the sales tax of the Town of Timnath in accordance with state law to the Timnath Development Authority for the 2018, 2017 and 2016 tax years,

2) any and all evidence documenting the accounting of the special fund of the former Timnath Development Authority, now deceased for failure to duly constitute its governing body in accordance with C.R.S. §31-25-104(2)(a), for the fiscal years ending in December of 2017 and 2018, said special fund being described and as controlled by C.R.S. §31-25-107(9)(a)(II) and also §31-25-109 including but not limited to ledgers showing all receipts and expenditures of the special fund,

3) Audit Reports prepared in accordance with C.R.S. §29-1-601 *et seq* that report compliance with all state laws including the Urban Renewal law, CRS §31-25-101 *et seq*, for the fiscal years ending in December of 2017 and December of 2018.

**Identity of parties:**

The following are the names of the parties in this action and the names, addresses, phone numbers and e-mail addresses of the attorneys for the parties and of any parties who have entered appearances without an attorney:

Name:	Address	Phone number:	Email Address
Eric Burris Representing Plaintiffs	201 Third Street NW, Suite 1800 Albuquerque, NM 87102	505.244.0770	eburris@bhfs.com
Cole Woodward Representing PSD	410 Seventeenth Street, Suite 2200 Denver, CO 80202-4432	303.223.1100	cwoodward@bhfs.com
Eric Sutherland	3520 Golden Currant Ft Collins, CO 80521	(970) 224 4509	sutherix @ yahoo.com

The party that is serving this subpoena: Eric Sutherland, *pro se*

Dated: 10/9/18

Clerk/Deputy Clerk/Attorney

*See Attached Notice to Subpoena Recipient*

