

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

**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 **Rita Knoll**, in Larimer County, Colorado ,

on MARCH 14, 2019 (date)

Check one:

- By handing it to a person identified to me as RITA KNOLL  
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. Iron  
Signature of Process Server

Caylon Groves  
Name (Print or type)

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

[Signature] 3-14-19  
Notary Public /Deputy Clerk



# EXHIBIT 2

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

In the matter of:

DATE FILED: November 14, 2018

Town of Timnath, Timnath Development Authority . . . Plaintiffs

▲ **COURT USE ONLY** ▲

v.

Eric Sutherland . . . Defendant

Case Number: 2018CV030567

Division: 3C

**SUBPOENA TO ATTEND AND PROVIDE/PRODUCE**

To: Jill Grossman-Belisle, Mayor, Town of Timnath also Chairperson,  
 Timnath Development Authority.

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 September 20th at 9:00 am and on September 21<sup>st</sup> at 9:00 a.m., as a witness for **Eric Sutherland**,

**Provide** 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..

**Also Provide** any and all evidence documenting the accounting of the special fund of the Timnath Development Authority as controlled by C.R.S. §31-25-107(9)(a)(II) and also §-109 including but not limited to ledgers showing all receipts and expenditures of the special fund and Audit Reports prepared in accordance with C.R.S. §29-1-601 *et seq.*

**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	1801 California St., Suite 3000 Denver, CO 80202	505.244.0770	eburris@bhfs.com
Thomas A. Isler Representing PSD	410 Seventeenth Street, Suite 2200 Denver, CO 80202- 4432	303.223.1100	twoodward@bhfs.com
Eric Sutherland	3520 Golden Currant Ft Collins, CO 80521	(970) 224 4509	

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

Dated: September 11, 2018

*Mary L. King*  
 Clerk/Deputy Clerk/Attorney

