

<p>Larimer County, Colorado, District Court Larimer County Justice Center 201 La Porte Avenue, Suite 100 Fort Collins, Colorado 80521-2761 (970) 494-3500</p>	<p>DATE FILED: March 14, 2019 5:21 PM FILING ID: 765C5DDC6C3B7 CASE NUMBER: 2018CV149</p>
<p>Plaintiff:</p> <p>ERIC SUTHERLAND,</p> <p>v.</p> <p>Defendant:</p> <p>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 Indispensable Parties: THE TIMNATH DEVELOPMENT AUTHORITY, an Urban Renewal Authority; and COMPASS MORTGAGE CORPORATION, an Alabama company doing business in Colorado.</p>	<p>Court Use Only</p>
<p>Jeannine Haag, Reg. No. 11995 David P. Ayraud, Reg. No. 28530 George H. Hass, Reg. No. 897 Frank N. Haug, Reg. No. 41427 Larimer County Attorney's Office 224 Canyon Ave., Suite 200 Post Office Box 1606 Fort Collins, Colorado 80522 Telephone (970) 498-7450 jeanninehaag@larimer.org wressue@larimer.org gass@larimer.org</p>	<p>Case No. 18 CV 149</p> <p>Courtroom 5B</p>
<p style="text-align: center;">DEFENDANTS MILLER AND JOSEY'S MOTION FOR RULING ON AWARD OF ATTORNEY FEES</p>	

Defendants Steve Miller and Irene Josey (County Defendants) move for the Court to issue a ruling on the Motion for Attorney Fees pursuant to C.R.S. Section 13-17-101 et. seq. As grounds for this motion, County Defendants show the court as follows:

Certificate of Compliance with C.R.C.P. 121 Section 1-15(8)

The undersigned certifies that he has conferred with Plaintiff via email communication and explained the basis for this motion. As of the filing of this motion, Plaintiff has not responded whether or not he objects to the relief requested.

1. On October 12, 2018, Defendants Miller and Josey filed a Verified Motion for Attorney Fees and Costs in the amount of \$2,860.00. On October 29, 2018, the Court issued a Status Order Regarding Notice of Appeal, in which the Court stated it would hold in abeyance the motions pending before the Court, including the above referenced motion for attorney fees.

2. After the City of Fort Collins filed a Motion to Reconsider the Status Order, the Court, on December 6, 2018 stated that it was retaining jurisdiction over the motions regarding attorney fees and ordered that any response to Defendants Miller and Josey's motion for fees and costs was due by December 20, 2018. Upon review of the court record, it does not appear that any such response was filed.

3. The appeal in case 2018CA1993 has been dismissed.

WHEREFORE, the County Defendants request the Court issue an order ruling on and granting the award of attorney fees in the amount of \$2,860.00.

Dated: March 14, 2019

LARIMER COUNTY ATTORNEY'S OFFICE

By: s/Frank N. Haug
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William G. Ressue, Reg. No. 34110
George H. Hass, Reg. No. 897
Frank N. Haug, Reg. No. 41427
Attorneys for Defendants Miller and Josey

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing DEFENDANTS MILLER AND JOSEY'S MOTION FOR RULING ON AWARD OF ATTORNEY FEES was served on the following using the Colorado Courts E-Filing System or by placing in the U.S. Mail, postage prepaid, on the 14th day of March, 2019:

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