

DISTRICT COURT, LARIMER COUNTY, COLORADO Court Address: 201 La Porte Avenue Fort Collins, CO 80521 Phone Number: (970) 494-3500	DATE FILED: March 19, 2019 3:33 PM FILING ID: F9E5EF2ABC95A CASE NUMBER: 2018CV149
<p>Plaintiff: ERIC SUTHERLAND, <i>pro se</i></p> <p>v.</p> <p>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 in this office; IRENE JOSEY, in her capacity as the Larimer County Treasurer and all successors to this office; 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><i>Attorneys for Defendant City of Fort Collins:</i> John W. Mill (#22348) Rosemary A. Loehr (#52559) Sherman & Howard L.L.C. 633 17th Street, Suite 3000 Denver, CO 80202 Phone Number: (303) 297-2900 Email: jmill@shermanhoward.com rloehr@shermanhoward.com</p> <p>Carrie M. Daggett, #23316 John R. Duval, #10185 Fort Collins City Attorney's Office 300 LaPorte Avenue Fort Collins, CO 80522-0580 970-221-6520 cddaggett@fcgov.com, jduval@fcgov.com</p>	<p>Case No.: 2018CV149</p> <p>Courtroom/Division: 5B</p>
<p>AFFIDAVIT OF MICHAEL BECKSTEAD REGARDING THE CITY OF FORT COLLINS'S NOTICE OF CORRECTION OF RECORD</p>	

I, Michael Beckstead, being first duly sworn, testify and state as follows:

1. I am over the age of eighteen years and competent to give testimony. I have personal knowledge of the facts set forth in this Affidavit.
2. I am the Chief Financial Officer of the City of Fort Collins.
3. I testified in Court in the above-captioned matter at a hearing on Friday, March 15, 2019 on the City of Fort Collins' Combined Motion for Attorneys' Fees and Costs.
4. I am submitting this Affidavit to correct my answer to one question during my testimony.
5. Mr. Sutherland asked me a question to the effect of did I know that he, Mr. Sutherland, had filed a complaint in this case, prior to the issuance of the City's broadband revenue bonds.
6. In response, I hesitated, trying recall when I was aware of the complaint, and then answered that I was not aware of the complaint before the issuance of the bonds.
7. After the conclusion of my testimony, I realized that my answer to that question was incorrect. In fact, I was aware of Mr. Sutherland's complaint prior to the issuance of the bonds.
8. All of my other testimony was correct to the best of my knowledge, information and belief.

I hereby swear or affirm that the foregoing is true and correct to the best of my knowledge, information, and belief.

Further affiant sayeth naught at this time.

Michael Beckstead

STATE OF COLORADO)

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)ss.

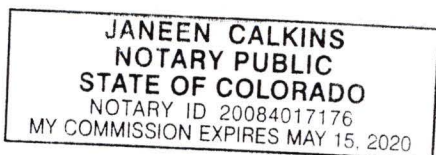
CITY OF FORT COLLINS AND COUNTY OF LARIMER)

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Subscribed and sworn to before me this 19th day of March, 2019.

Witness my hand and Official Seal.

My Commission Expires: May 15, 2020



Notary Public