

DISTRICT COURT, LARIMER COUNTY, COLORADO 201 LaPorte Avenue Fort Collins, CO 80521	DATE FILED: July 18, 2019 10:21 AM FILING ID: ADD770A55F3A4 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; 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>Counsel for Judgment Creditor/Defendants: The Timnath Development Authority and Compass Mortgage Corporation</p> <p>Eric R. Burris, <i>admitted pro hac vice</i> BROWNSTEIN HYATT FARBER SCHRECK, LLP 201 Third Street NW, Suite 1800 Albuquerque, NM 87102 Telephone: 505.244.0770 Email: eburris@bhfs.com</p> <p>Chloe Mickel, #50437 Jesse D. Sutz, #52395 BROWNSTEIN HYATT FARBER SCHRECK, LLP 410 Seventeenth Street, Suite 2200 Denver, CO 80202-4432 Phone: 303.223.1100 Email: cmickel@bhfs.com; jsutz@bhfs.com</p>	<p>Case Number: 18CV149</p> <p>Division:</p>
MOTION TO REISSUE WRIT OF EXECUTION	

Defendants The Timnath Development Authority (“TDA”) and Compass Mortgage Corporation (“Compass”), by and through counsel, submit the following Motion to Reissue Writ of Execution.

Certificate of Conferral Pursuant to Colo. R. Civ. P. 121 § 1-15: Counsel for TDA

and Compass have conferred with Plaintiff regarding the relief requested in this Motion.

Plaintiff advised he takes no position on the relief requested.

1. On September 10, 2018, Judgment was entered in favor of TDA and Compass, and against Plaintiff Eric Sutherland in the above-captioned case in the amount of \$45,613.55 together with interest at the statutory rate from the date of entry.

2. On December 21, 2018, Compass assigned its rights to all sums awarded to it pursuant to the Judgment to TDA.

3. The fourteen-day automatic stay on execution imposed by C.R.C.P. 62 has lapsed.

4. On April 25, 2019, TDA submitted a Motion to Issue a Writ of Execution pursuant to C.R.C.P. 69(a).

5. On April 29, 2019, this court granted TDA's Motion to Issue a Writ of Execution, issuing the writ, and granting ninety days to satisfy the judgment.

6. This ninety-day period expires on July 28, 2019.

7. Accordingly, TDA seeks to reissue a writ for a successive ninety-day time period, beginning on July 29, 2019, and expiring on October 27, 2019.

WHEREFORE, TDA and Compass respectfully requests that this Court direct its Clerk to reissue the attached proposed Writ of Execution.

DATED this 18th day of July, 2019.

BROWNSTEIN HYATT FARBER SCHRECK, LLP

By: s/Jesse D. Sutz
Eric R. Burris, *admitted pro hac vice*
Chloe Mickel, #50437
Jesse D. Sutz, #52395

*Attorneys for Defendants The Timnath Development Authority and
Compass Mortgage Corporation*

CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of July, 2019, a true and correct copy of the foregoing **PLAINTIFFS' MOTION TO REISSUE WRIT OF EXECUTION** was filed with the Court and served via Colorado Courts E-Filing System on all counsel of record and *pro se* party as follows:

By Regular Mail

Eric Sutherland
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s/Penny G. Lalonde

Penny G. Lalonde, Paralegal