

<p>8th DISTRICT COURT LARIMER COUNTY JUSTICE CENTER Court Address: 201 Laporte Avenue Fort Collins, CO 80521 Phone (970) 494-3500</p>	<p>2019 OCT -1 PM 12:48 DATE FILED: October 1, 2019 CASE NUMBER: 2018CV149</p> <p>FILED IN COMBINED COURT LARIMER COUNTY CO.</p>
<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 to this office; IRENE JOSEY, in her capacity as the Larimer County Treasurer and all successors to this office;</p> <p>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>▲ COURT USE ONLY ▲</p>
<p>Party without attorney: Eric Sutherland, pro se 3520 Golden Currant Boulevard Fort Collins, CO 80521 Phone Number: (970) 224 4509 E-mail: sutherix@yahoo.com</p>	<p>Case #: 2018CV149 Division: 3C</p>
<p align="center">AFFIDAVIT OF DEFENDANT ERIC SUTHERLAND SUPPORTING HIS MOTION FOR DISQUALIFICATION UNDER RULE 97</p>	

Pursuant to C.R.C.P. Rule 97, Defendant Eric Sutherland provides this Affidavit to the Court.

I, Eric Sutherland, swear and affirm the following

- 1) I am the plaintiff in above captioned case.

- 2) All statements made in the *Motion for Disqualification Pursuant to Rule 97 C.R.C.P.* which is filed with this Affidavit on October 1, 2019, are true and correct to the best of my knowledge and belief.
- 3) Judge Greg Lammons has systematically disregarded the vast majority of arguments and authorities that I have have presented to support my position that I had standing to bring the claims in this suit. I believe and the record of the case supports the conclusion that this systematic disregard for the facts, argument and authority that were necessary to my case was intentional and the product of extreme bias and prejudice.
- 4) As better explained in section **III.** of the *Motion for Disqualification*, Greg Lammons has substituted his own opinion and erroneous factual conclusion for the facts in the record on at least one occasion in order to award attorneys fees against me. I believe that the same bent of mind evidenced by this action was present throughout the entire proceeding.
- 5) As better explained in section **IV.** of the *Motion for Disqualification*, Judge Greg Lammons is interested in the outcome of the *coram non judice* issue that is now part of the substance of this case. I believe that Judge Lammons' interest in the outcome of this issue surpasses the threshold established by Colorado case law for disqualification.

I, Eric Sutherland, being first duly sworn upon my oath that I am over the age of eighteen years, that I am a registered elector and citizen of the City of Fort Collins, have prepared and read the foregoing AFFADAVIT IN SUPPORT OF MOTION FOR DISQUALIFICATION PURSUANT TO C.R.C.P. RULE 97 and the facts stated herein are true and accurate to the best of my knowledge and belief.



 Eric Sutherland

STATE OF COLORADO)
 COUNTY OF LARIMER) SS.

Subscribed and sworn to before me this 1st day of October, 2019
 by Eric Sutherland.



 Deputy Clerk

