

DISTRICT COURT, LARIMER COUNTY, COLORADO Court Address: 201 LaPorte Avenue Fort Collins, CO 80521 Phone Number: (970) 494-3500	DATE FILED: April 9, 2020 1:42 PM FILING ID: C95CDA4C6D3D4 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>Case No.: 2018CV149</p> <p>Courtroom/Division: 3C</p>
SETTLEMENT ORDER	

On April 9th, 2020, the Plaintiff Eric Sutherland (“Sutherland”), the Defendant City of Fort Collins (“Fort Collins”), the Defendant the Timnath Development Authority (the “TDA”) and Defendant Compass Mortgage Corporation (“Compass”) filed with the Court their Stipulated Motion for Settlement Order asking the Court to issue this Settlement Order to resolve all disputes between Sutherland, Fort Collins, the TDA and Compass (collectively, the “Parties”) in accordance with the terms and conditions of the Settlement Agreement attached as Exhibit “A” to the Stipulated Motion for Settlement Order (“Settlement Agreement”). The Court hereby grants the Stipulated Motion for Settlement Order, and in doing so:

IT IS HEREBY ORDERED THAT,

1. The Settlement Agreement is incorporated into this Settlement Order and the Parties shall comply with all applicable terms and conditions of the Settlement Agreement.

2. When Senior District Court Judge J. Robert Lowenbach timely issues in Larimer County District Court Case No. 18CV30567 the “Second Lawsuit Settlement Order,” as contemplated in Section II.B. of the Settlement Agreement, the following orders shall go into effect:

A. All of Sutherland’s causes of actions and claims asserted in this action against Fort Collins, the TDA and Compass are dismissed with prejudice;

B. The TDA's counterclaims against Sutherland previously dismissed without prejudice by the Court in its March 15, 2019, order, are dismissed with prejudice; and

C. Each of the Parties shall be responsible for their own costs and attorney fees.

3. This Court shall retain jurisdiction to enforce the Settlement Agreement and this Settlement Order.

4. In the event Judge Lowenbach does not issue the "Second Lawsuit Settlement Order" within 21 calendar days as contemplated in Section II.B. of the Settlement Agreement or if for any reason the Second Lawsuit Settlement Order has not been issued on or before June 15, 2020, this Settlement Order shall be deemed vacated by the Court and no longer in effect and this action shall thereafter proceed as if this Settlement Order had not been issued.

Date:

BY THE COURT:

Gregory M. Lammons
District Court Judge