

DISTRICT COURT, COUNTY OF LARIMER,
COLORADO

Larimer County Justice Center
201 Laporte Avenue, Suite 100
Fort Collins, Colorado 80521-2762
(970) 498-6100

Plaintiff: THE CITY OF FORT COLLINS,
COLORADO, a municipal corporation,

v.

Defendants: BOARD OF COUNTY COMMISSIONERS
OF LARIMER COUNTY, COLORADO;
STREETMEDIAGROUP, LLC

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Attorneys for Plaintiff

▲ COURT USE ONLY ▲

Case Number: 2020CV030580

Division: 4B

PLAINTIFF'S SUBMISSION OF AUTHORITY

Plaintiff City of Fort Collins, by and through its attorneys, Andrew D. Ringel, Esq., of Hall & Evans, L.L.C. and John R. Duval, Esq., Deputy City Attorney, and Claire Havelda, Esq., Assistant City Attorney, of the Fort Collins City Attorney's Office, hereby respectfully submits this Submission of Authority, as follows:

1. In its Reply in Support of Motion to Dismiss, Defendant StreetMediaGroup, LLC accuses counsel for the Plaintiff of citing an unpublished Colorado Court of Appeals decision. [See Reply, at 9-10]. The decision in question is *Stor-N-Lock #15 v. City of Thornton*, No. 17CA0696 (Colo. App. May 3, 2018). StreetMediaGroup, LLC's assertion this is an unpublished decision is wrong. Plaintiff provides this Court with the version issued by the Court of Appeals which distinctly does not contain any designation in the caption indicating the case is "Not Published Pursuant to C.A.R. 35(e)" which appears in all unpublished Court of Appeals decisions. [See Court of Appeals Opinion, 2018COA65, Exhibit A]. The Court can also confirm the nature of the opinion by visiting the Court of Appeals website for opinions issued May 3, 2018. See www.courts.state.co.us/Courts/Court_of_Appeals/Case_Announcements/Files/2018/2F3A6605-03-18.pdf (Opinion announced on page 5 and the link on the case number will take one to the opinion itself).

Dated this 26th day of March, 2021.

Respectfully submitted,

/s/ Andrew D. Ringel

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**ATTORNEYS FOR PLAINTIFF
THE CITY OF FORT COLLINS
COLORADO**

CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of March, 2021, a true and correct copy of the foregoing was filed with the Court and served via Colorado Courts E-Filing System to the following email addresses:

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/s/ Nicole Marion _____
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