

<p>DISTRICT COURT, CITY AND COUNTY OF LARIMER, COLORADO Larimer County Justice Center 201 Laporte Avenue, Suite 100 Fort Collins, Colorado 80521 (970) 498-6100</p>	<p>▲ COURT USE ONLY ▲</p>
<p>PLAINTIFF: THE CITY OF FORT COLLINS, COLORADO, a Colorado home rule city and municipal corporation, vs. DEFENDANTS: PLANNING ACTION TO TRANSFORM HUGHES SUSTAINABLY CORP., a Colorado nonprofit corporation; and ELENA M. LOPEZ, MELISSA ROSAS, AND PAUL PATTERSON, each in their official capacity as a petition representative of the persons signing the petition for a citizen-initiated ordinance relating to the City of Fort Collins rezoning and acquiring certain real property</p>	<p>Case Number: 2020CV30833 Div.: 3B</p>
<p>[PROPOSED] ORDER ON DEFENDANT’S MOTION TO DISMISS COMPLAINT FOR DECLARATORY RELIEF PURSUANT TO C.R.C.P. 12(B)(6)</p>	

This matter comes before the Court on Defendant’s Motion to Dismiss Complaint For Declaratory Judgment Pursuant to C.R.C.P. 12(b)(6). The Court has reviewed the Motion, the related briefing, and being fully advised in the matter enters the following order:

1. For the reasons stated in the Motion, the Court finds the Plaintiff failed to join Colorado State University, an indispensable party.
2. The Plaintiff has not cured the defect in the Complaint by joining the indispensable party.
3. THEREFORE, THE MOTION IS HEARBY GRANTED and Plaintiff’s Complaint for Declaratory Relief is HEREBY DISMISSED.

Entered this ____ day of _____, 20__

BY THE COURT

District Court Judge