

DISTRICT COURT, COUNTY OF LARIMER
STATE OF COLORADO
201 La Porte Ave
Suite 100
Ft. Collins, CO 80521
(970) 494-3500

**RE DENVER and COLORADO FLOORING
INDUSTRIES, Inc. as tenants in common, and OSF
INVESTMENTS, LLC d/b/a Carpet Exchange, a
Washington Limited Liability Company
Plaintiffs,**

v.

**CITY OF FORT COLLINS, a home rule city, and CITY
OF FORT COLLINS PLANNING AND ZONING
BOARD, STAN SCOTT and GUARDIAN STORAGE
FORT COLLINS, LLC dba GUARDIAN SELF
STORAGE
Defendants.**

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Case Number: 2021CV30210

Div. 2A Ctrm:

STIPULATED MOTION TO DISMISS WITHOUT PREJUDICE

COME NOW the parties, by and through their attorneys of record and stipulate as follows and move to have this matter dismissed without prejudice:

1. Plaintiffs filed this case, uncertain as to the position Defendants would take regarding the time that the deadlines commenced pursuant to Colorado Rules of Civil Procedure rule 106.

2. All Defendants concur and stipulate that the commencement of the time frame for initiating this litigation pursuant to Colorado Rules of Civil Procedure, Rule 106 will not start to run until the date of adoption by the City Council of the City of Fort Collins, of a resolution regarding the appeal which plaintiff has filed with City Council regarding the action taken by the Zoning and Planning Board.

3. The parties stipulate that this case should be dismissed without prejudice.

WHEREFORE, the parties request the court approve this stipulated motion for dismissal without prejudice.

RESPECTFULLY submitted this 29th day of April, 2021.

BRADLEY DEVITT HAAS &
WATKINS, P.C.
Attorneys for Plaintiff

HASLER, FONFARA & GODDARD LLP
Attorneys for Defendant Stan Scott

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