

DISTRICT COURT, LARIMER (FT COLLINS) COUNTY, COLORADO Court Address: 201 Laporte Avenue, Suite 100, Fort Collins, CO, 80521	DATE FILED: October 28, 2016 4:02 PM CASE NUMBER: 2016CV230  <div style="text-align: center;"><b>⚠ COURT USE ONLY ⚠</b></div> Case Number: 2016CV230 Division: 5C                      Courtroom:
<b>Plaintiff(s)</b> LARRY SARNER v. <b>Defendant(s)</b> CITY OF LOVELAND et al.	
<b>Order re Trial Setting and Telephone Conference</b>	

The Colorado Supreme Court issued its Mandate on this date, and this Court may now proceed with this matter following appeal.

Initially, the Court takes jurisdiction of this contest, pursuant to C.R.S. 1-11-203.5(1), without the filing of a bond by the Contestor. The Court finds that it is discretionary with this Court to order that a bond be filed, and the Court finds that the importance of hearing this matter within statutorily mandated time frames militates against an order that a bond be filed.

Second, the Court finds that the contest shall be adjudicated no later than November 7, 2016, pursuant to C.R.S. 1-11-203.5(2), i.e., no later than 10 days from the date that answers were filed, or, the equivalent in this case, within 10 days from the date that the Mandate was issued by the Colorado Supreme Court.

As such, the Court sets a telephone conference to set this matter for the date of the trial or hearing. Once again, because of the short time to accomplish a trial setting and to discuss procedural matters about the trial, the Court orders that counsel and the Contestor, Mr. Sarner, appear at a telephone conference on Monday, October 31, 2016, 11:00 a.m. to set this matter for trial. Please call 970-494-3777, and use participant code 23976908# to participate in the setting.

Finally, the Court anticipates setting this summary adjudicative hearing or trial for a one day trial on either Thursday, November 3, 2016 or Friday, November 4, 2016, dependent on the availability and schedules of counsel and Mr. Sarner. The Court also anticipates requesting that counsel and Mr. Sarner file pre-hearing briefs on the applicable law no later than 24 hours before the hearing.

Issue Date: 10/28/2016



THOMAS R FRENCH  
 District Court Judge