

DISTRICT COURT, LARIMER COUNTY, COLORADO

201 La Porte Avenue, Suite 100
Fort Collins, CO 80521
Phone: (970) 494-3500

Plaintiff:

COLORADO OIL AND GAS ASSOCIATION,

v.

Defendant:

CITY OF FORT COLLINS, COLORADO

Attorneys:

SULLIVAN GREEN SEAVY, LLC
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COURT USE ONLY

Case Number: 2013CV31385

Division/Courtroom: 5B

DEFENDANT CITY OF FORT COLLINS' DISCLOSURES UNDER C.R.C.P. 26(a)(1)

Defendant City of Fort Collins, Colorado, (the "City") by and through its undersigned attorneys, Sullivan Green Seavy LLC, submits its initial Disclosures Under C.R.C.P. 26(a)(1) and states as follows:

INDIVIDUALS LIKELY TO HAVE DISCOVERABLE INFORMATION

1. Wanda K. Nelson, Fort Collins City Clerk, c/o Stephen J. Roy, Fort Collins City Attorney, 300 La Porte Avenue, P.O. Box 580, Fort Collins, CO 80522; (970) 221-6520. Ms. Nelson has knowledge and information regarding the following matters: the citizen initiated petition submitted to the City, the proposed citizen initiated ordinance that was submitted to the registered electors of the City as Ballot Measure 2A at the special municipal election on November 5, 2013, pursuant to Resolution No. 2013-072 of the Council of the City of Fort Collins, the results of that November 5, 2013 special election, the adoption of Ballot Measure 2A as a City Ordinance after the election, and related matters.

2. Laurie Kadrich, Fort Collins Community Development and Neighborhood Services Director, c/o Stephen J. Roy, Fort Collins City Attorney, 300 La Porte Avenue, P.O. Box 580, Fort Collins, CO 80522; (970) 221-6520. Ms. Kadrich has knowledge and information regarding the City's efforts to fully study the impacts of hydraulic fracturing and the storage of its waste products on property values and human health under the five year moratorium approved by the people of the City of Fort Collins at the November 5, 2013 election.

3. Lucinda Smith, Fort Collins Environmental Services Director, c/o Stephen J. Roy, Fort Collins City Attorney, 300 La Porte Avenue, P.O. Box 580, Fort Collins, CO 80522; (970) 221-6520. Ms. Smith also has knowledge and information regarding the City's efforts to fully study the impacts of hydraulic fracturing and the storage of its waste products on property values and human health under the five year moratorium approved by the people of the City of Fort Collins at the November 5, 2013 election.

4. Glen Colton and other representatives and members of Citizens for a Healthy Fort Collins ("CHFC"), P.O. Box 1695, Fort Collins, CO 80522. These persons are believed to have knowledge and information relating to Ballot Measure 2A and CHFC's efforts to place this citizen initiated moratorium on the ballot and campaign for the approval of Ballot Measure 2A, the pending Motion to Intervene in this case and related matters.

5. Katie Kennedy and other representatives of Fort Collins Alliance for Reliable Energy ("FARE", 1133 Riverside Avenue, Fort Collins, CO 80524. These persons are believed to have knowledge and information relating to Ballot Measure 2A and FARE's efforts to campaign against this citizen initiated moratorium and related matters.

6. Any individuals necessary for impeachment or rebuttal, individuals identified by the Plaintiff or the other Defendants in this case, and/or individuals identified through further discovery in this case.

**LISTING, DESCRIPTION AND LOCATION OF DOCUMENTS, DATA
COMPILATIONS AND TANGIBLE THINGS**

1. Resolution No. 2013-072 of the Council of the City of Fort Collins adopted on August 20, 2013.
2. Resolution No. 2013-085 of the Council of the City of Fort Collins adopted on October 1, 2013.
3. Election results and related information concerning Ballot Measure 2A approved by the registered electors of the City on November 5, 2013, which is available at the City's web site (www.fcgov.com).
4. Fort Collins City Charter, a copy of which is also available at the City's web site.
5. Any documents identified by the other parties and any documents identified through further discovery in this case.

The City believes that the Plaintiff already has copies of the documents identified above, and such documents are available to the public at the City's web site. The documents and things are available for inspection and/or copying at the Plaintiff's expense upon reasonable notice at the offices of the City's attorneys. The City will supplement the foregoing Disclosures pursuant to C.R.C.P. 26(e) in the event that the City learns of additional persons with knowledge and/or additional documents or things that relate to the claims and defenses in this action.

DESCRIPTION AND COMPUTATION OF DAMAGES

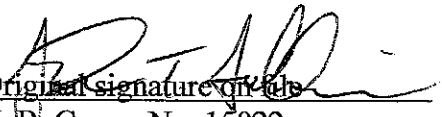
The City has not asserted a claim for damages in this action.

INSURANCE AGREEMENTS

The City is not aware of any insurance policies that are available to pay all or part of any judgment entered in this case.

Dated this 14th day of March, 2014.

SULLIVAN GREEN SEAVY LLC

By:  ~~/s/ Original signature of file~~
Barbara J. B. Green, No. 15022
John T. Sullivan, No. 17069

CITY OF FORT COLLINS

Stephen J. Roy by JTS

By: /s/ Original signature on file
Stephen J. Roy, No. 0893, City Attorney

ATTORNEYS FOR DEFENDANT CITY
OF FORT COLLINS

CERTIFICATE OF SERVICE

I do hereby certify that on this 14th day of March, a true and correct copy of the foregoing **DEFENDANT CITY OF FORT COLLINS' DISCLOSURES UNDER C.R.C.P. 26(a)(1)** was served electronically via ICCES or e-mail, or placed in the U.S. Mail, addressed to the following persons:

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/s/ 