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| District Court, Archuleta County, Colorado 449 San Juan Boulevard Pagosa Springs, CO 81147 | ▲Court Use Only▲ |
| Plaintiff: COLORADO’S TIMBER RIDGE HOME OWNERS ASSOCIATION, a Colorado non-profit corporation, and Defendant(s): COLORADO TIMBER RIDGE RANCH, L.P., a California limited partnership; et al. | |
| SPRINGER AND STEINBERG, P.C. Jeffrey A. Lane, No.: 11356 Attorney for Defendants Colorado Timber Ridge Ranch, L.P. and George and Jean Taulman 1600 Broadway, Suite 1200 Denver, Colorado 80202 Telephone Number: (303) 861-2800 Facsimile Number: (303) 832-7116 Email Address: jlane@springer-and-steinberg.com | Case No: 09 CV 95 Division: |
| RESPONSE TO PLAINTIFF’S MOTION FOR LEAVE TO AMEND ITS COMPLAINT FOR DECLARATORY JUDGMENT | |

Defendants, Colorado Timber Ridge Ranch, LLP, George Taulman and Jean Taulman and Walter Joseph Machock, by and through their attorneys Springer and Steinberg, P.C., submit the within Response to Plaintiff’s Motion for Leave to Amend its Complaint fro Declaratory Judgment.

1. These defendants take no position on Plaintiff’s Motion.
2. These defendants do not believe that any statement made by defendant Walter Joseph Machock, regarding the issue of joinder of parties, is dispositive on the issue, acts as estoppel, acts as waiver or in any way binds the parties or the Court.
3. These defendants reserve the right to raise the defense of failure to join a party under C.R.C.P. 19, as provided by C.R.C.P. 12(h)(2), in any pleading permitted by C.R.C.P. 7(a), by motion for judgment on the pleadings or at a trial on the merits.

Dated this 8TH day of August, 2009.

Respectfully Submitted,

SPRINGER AND STEINBERG, P.C.

/s/ Jeffrey Lane

JEFFREY A. LANE, #11356
Attorney for Plaintiff
1600 Broadway, Suite 1200
Denver, Colorado 80202
Telephone Number: (303) 861-2800

CERTIFICATE OF MAILING

I hereby certify that on the 8th day of August, 2009, I e-filed via Lexis Nexis, a true and correct copy of the above and foregoing **RESPONSE TO PLAINTIFF'S MOTION FOR LEAVE TO AMEND ITS COMPLAINT FOR DECLARATORY JUDGMENT**, and e-served a copy of the same upon:

A. Michael Chapman
R. Thomas Geyer
Shand, Newbold & Chapman, P.C.
P.O. Box 2790
Durango, Colorado 81302-2790

SPRINGER AND STEINBERG, P.C.
