

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 1:23-cv-01351-RMR-STV

GRCO LLC, a Missouri limited liability company,

Plaintiff,

v.

GRANBY RANCH METROPOLITAN DISTRICT, a quasi-municipal corporation and political subdivision of the State of Colorado,

Defendant.

PLAINTIFF GRCO LLC'S INITIAL DISCLOSURES

Plaintiff, GRCO LLC ("Plaintiff") makes the following initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1). Plaintiff reserves the right to amend and supplement these disclosures as additional information becomes known and available.

I. The following individuals are likely to have discoverable information that Plaintiff may use to support its claims or defenses in this case:

1. Current and former board members of Granby Ranch Metropolitan District ("GRMD")
2. GRMD's manager and accountant
3. Representatives of GRCO
4. Any person identified by the defendant.
5. Any person identified during the course of discovery.
6. Any person identified in documents produced in discovery.

7. Any person necessary for foundation, authentication or rebuttal purposes.
8. Plaintiff reserves the right to supplement these if additional information becomes known.

II. Plaintiff may rely on the following categories of documents to support its claims:

1. Resolutions of GRMD imposing the Capital Facilities Fees
2. Agreement with Town of Granby or enforcement of Capital Facility Fee Resolution
3. Documents referenced in Plaintiff's complaint
4. Schedules reflecting payment of the Capital Facilities Fees
5. GRMD's Service Plan and all amendments thereto
6. Service Plan of Headwaters Metropolitan District and all amendments thereto
7. GRMD's financial statements from 2006 – present
8. Documents relating to GRMD's 2006 and 2018 bond issuances
9. Documents relating to GRCO's property at issue in this litigation
10. Documents relating to GRCO's payment of Capital Facilities Fees relating to its property
11. Deposition of Charles Wolfersberger dated November 30, 2022
12. Other relevant documents in Plaintiff's possession relating to or referencing the Capital Facilities Fees Any documents produced by defendant or by any party in discovery.
13. The 2005 Deed of Trust on the property of Granby Ranch

14. Documents relating to the 2020 foreclosure of the 2005 Deed of Trust

Documents identified herein will be produced no later than October 2, 2023. By identifying the foregoing documents or categories of documents, Plaintiff does not waive any claims of attorney work product or attorney/client privilege pertaining to such documents, nor does it waive any objections it may have as to relevance or the proper scope of discovery. Plaintiff reserves the right to supplement this list.

III. Computation of Damages.

\$125,100 in Capital Facilities Fees paid by GRCO, any additional Capital Facilities Fees required to be paid by GRCO prior to judgment in this case, interest on sums paid, reasonable attorneys' fees, and costs.

IV. Insurance policy applicable to this case. GRCO has no insurance policy applicable in this case.

Dated this 25th day of September, 2023.

Respectfully submitted,

/s/ JoAnn T. Sandifer

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CERTIFICATE OF SERVICE

I hereby certify that on September 25, 2023, the foregoing **PLAINTIFF GRCO LLC'S INITIAL DISCLOSURES** was e-mailed to the following:

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