

DISTRICT COURT, GRAND COUNTY, COLORADO 307 Moffat Avenue Hot Sulphur Springs, Colorado 80451		DATE FILED: November 3, 2022 2:45 PM FILING ID: 25272A41AA94C CASE NUMBER: 2021CV30008
Plaintiff: GRANBY RANCH METROPOLITAN DISTRICT, a quasi-municipal corporation and political subdivision of the State of Colorado	Defendants: HEADWATERS METROPOLITAN DISTRICT, a quasi-municipal corporation and political subdivision of the State of Colorado; GRAY JAY VENTURES, LLC; REDWOOD CAPITAL FINANCE CO., LLC; GRANBY PRENTICE, LLC; and GR TERRA, LLC	▲ COURT USE ONLY ▲
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GRAY JAY VENTURES, LLC’S AND GRANBY PRENTICE, LLC’S JOINDER IN MOTION TO CONTINUE TRIAL		

Defendants Gray Jay Ventures, LLC (“Gray Jay”) and Granby Prentice, LLC (“Granby Prentice”) submit this Joinder in Motion to Continue Trial (the “Motion”).

JOINDER

On November 3, 2022, Defendants Headwaters Metropolitan District (“Headwaters”) and GR Terra, LLC (“GR Terra”) filed the Motion, requesting that the Court continue the current,

February trial date. Gray Jay and Granby Prentice join in the legal arguments contained in the Motion and the relief requested therein.

In addition, there are several threshold legal issues that predominate the parties' claims and defenses and that Gray Jay and Granby Prentice anticipate raising at summary judgment. A pretrial ruling on such issues will potentially narrow the scope of issues that will be presented to the jury and otherwise streamline trial. If the trial date is reset, the Court will have additional time to fully consider and rule on the foundational legal issues in advance of trial.

CONCLUSION

For the foregoing reasons, Gray Jay and Granby Prentice respectfully request that the Court grant the Motion and (i) continue the trial date and associated deadlines, including the deadline for filing motions for summary judgment, (ii) set a status conference to set a new trial date and associated deadlines, and (iii) grant such other relief as it deems just and proper.

Dated: November 3, 2022

DAVIS GRAHAM & STUBBS LLP

/s/ Kyler Burgi

Mark Champoux

Kyler Burgi

*Attorneys for Defendants Gray Jay Ventures,
LLC and Granby Prentice, LLC*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 3rd day of November, 2022, service of the foregoing **GRAY JAY VENTURES, LLC'S AND GRANBY PRENTICE, LLC'S JOINDER IN MOTION TO CONTINUE TRIAL** was effected on the following counsel of record via the Colorado Courts E-Filing System:

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