

DISTRICT COURT, GRAND COUNTY, COLORADO 307 Moffat Avenue Hot Sulphur Springs, Colorado 80451		
Plaintiff: GRANBY RANCH METROPOLITAN DISTRICT, a quasi-municipal corporation and political subdivision of the State of Colorado v.	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 ▲
Mark Champoux, #40480 Kyler Burgi, #46479 DAVIS GRAHAM & STUBBS LLP 1550 17th Street, Suite 500 Denver, Colorado 80202 Telephone: 303.892.9400 Facsimile: 303.893.1379 E-mail: mark.champoux@dgsllaw.com kyler.burgi@dgsllaw.com <i>Attorneys for Defendants Gray Jay Ventures, LLC and Granby Prentice, LLC</i>		Case No.: 2021CV30008 Div: 1
GRAY JAY VENTURES, LLC AND GRANBY PRENTICE, LLC’S JOINDER IN RENEWED MOTION UNDER C.R.C.P. 12(B)(1) TO DISMISS FOR LACK OF STANDING FILED BY DEFENDANTS HEADWATERS AND GR TERRA		

Defendants Gray Jay Ventures, LLC (“Gray Jay”) and Granby Prentice, LLC (“Granby Prentice” and, with Gray Jay, the “Lender Entities”) submit this Joinder in Renewed Motion Under C.R.C.P. 12(b)(1) to Dismiss for Lack of Standing Filed by Defendants Headwaters Metropolitan District and GR Terra, LLC (January 25, 2023) (the “Motion”).

JOINDER

On January 25, 2023, Defendants Headwaters Metropolitan District (“Headwaters”) and GR Terra, LLC (“GR Terra”) filed the Motion, seeking dismissal of the Plaintiff’s Third Amended Complaint pursuant to C.R.C.P. 12(b)(1). The Lender Entities join in the Motion’s arguments and the relief requested therein. The Lender Entities reserve the right to file a reply to any response to the Motion.

CONCLUSION

For the reasons stated in the Motion, the Lender Entities respectfully request that the Court grant the Motion and dismiss the Plaintiff’s Third Amended Complaint.

Dated: January 26, 2023

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 26th day of January, 2023, service of the foregoing **GRAY JAY VENTURES, LLC AND GRANBY PRENTICE, LLC'S JOINDER IN RENEWED MOTION UNDER C.R.C.P. 12(B)(1) TO DISMISS FOR LACK OF STANDING FILED BY DEFENDANTS HEADWATERS AND GR TERRA** was effected on the following counsel of record via the Colorado Courts E-Filing System:

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