

DISTRICT COURT, PITKIN COUNTY, COLORADO

506 East Main Street
Aspen, CO 81611
(970) 925-7635

Plaintiff: **BASE VILLAGE METROPOLITAN
DISTRICT NO. 2**

vs.

Defendants: **THE RELATED COMPANIES, LP**, a New
York limited partnership; *et al.*

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Case Number: 2017 CV 030137
Div.: 5

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PLAINTIFF'S REQUEST FOR JUDICIAL NOTICE OF ADJUDICATIVE FACTS
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PLEASE TAKE NOTICE that Plaintiff hereby moves this Court pursuant to Colorado Rules of Evidence, Rule 201, to take judicial notice of the documents listed below.

1. First Amended Complaint filed by *Tallman Gulch Metropolitan District* against *Natureview Development, LLC* and *Michael Richardson* on October 19, 2015, in the District Court for Douglas County, designated case number 2015 CV 31017, and submitted herewith as Exhibit A.
2. The District Court's April 6, 2016, order on the motion to dismiss filed by Defendants *Natureview Development LLC, et al.*, in the case titled *Tallman Gulch Metropolitan District v. Naturview Development LLC, et al.*, designated case number 2015 CV 31017, and submitted herewith as Exhibit B.
3. The Combined Annual Report of Base Village Metropolitan Districts 1 and 2 from 2014 provided to the Town of Snowmass Village, and publicly available on the Department of Local Affairs website and the Town of Snowmass Village's website, and submitted herewith as Exhibit C.
4. The transcript of the second reading and Hearing on H.B. 00-1046 Before the House as a Whole, 2000 Leg., 62d Sess., held January 31, 2000, and submitted herewith as Exhibit D.

5. The transcript of the Hearing on H.B. 00-1046, Before the House Finance Committee, held on January 19, 2000, and submitted herewith as Exhibit E.

Under Colorado Rules of Evidence 201, a court must take judicial notice provided that a party issues the request and provides the court with “necessary information. Colo R. Evid. 201(d). Records, documents, and facts are properly the subject of judicial notice if the content is “not subject to reasonable dispute” as the documents and information provided is “capable of accurate and ready determination by resort to sources whose accuracy cannot be reasonably questioned.” *Id.* at 201(b).

Here, the records, documents, and facts provided consist of court records and publicly filed statements. Such items are appropriate for judicial notice. Accordingly, by this Request, Plaintiff has satisfied the requirements of Rule of Evidence 201 and respectfully requests that this Court take judicial notice of the above-listed documents.

Dated: November 30, 2018

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