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| ARAPAHOE COUNTY DISTRICT COURT STATE OF COLORADO |  | ATE FILED: November 1, 2018 1:50 PMLING ID: 109C52o6uEr8t4U89s6e0Only ASE NUMBER: 2018CV32562Case Number:Division/ Courtroom: |
| Court Address:7325 South Potomac Street Centennial, Colorado 80112 | D FI C |
| **Claimant(s):**  |  |
| **Respondent(s):**  |  |
| *Attorneys for Claimants* ADDRESS:Phone Number:Fax Number:  |  |
| **COMPLAINT FOR INTERPLEADER** |

**COMES NOW,** Claimant, Anderson Hemmat, LLC, for its Complaint for Interpleader Relief against Respondent Tammy Cobb, and alleges and avers as follows:

# PARTIES, VENUE AND JURISDICTION

1. The Claimant is a law firm organized under the laws of the State of Colorado and actively doing business in the State of Colorado with an address of 5613 DTC Parkway, Suite 150, Greenwood Village, Colorado 80111.
2. The Respondent, Tammy Cobb, is a resident and domiciliary of the City and County of Denver, State of Colorado with an address of 1114 Acoma Street, Apt. 24, Denver, Colorado 80204.
3. The Respondent Denver Health Medical Plan, Inc., a Colorado non-profit corporation (hereinafter referred to as “Respondent Denver Health” is a non-profit corporation organized under the laws of the State of Colorado with a principal office located at 777 Bannock Street, Denver, Colorado 80204.
4. This court has jurisdiction over the subject matter of this action and the parties hereto and venue is proper in the County of Arapahoe as the location where the proceeds are being held giving rise to this action.

# FACTUAL ALLEGATIONS

1. On April 24, 2017, at approximately 11:25 p.m., Claimant was driving her Ford on East 9th Street in the City and County of Denver, State of Colorado. At that same time and place Nicole Armstrong was driving her Nissan Sentra southbound on North Ogden Street and failed to stop at the stop sign at the intersection with North Ogden Street and struck Respondent’s vehicle, resulting in injuries, damages and losses to Claimant.
2. The undersigned sent a demand for settlement to Ms. Armstrong’s insurance carrier and settlement was achieved in May of 2018 for $75,000.
3. After attorney’s fees and costs, a balance of $5,000.39 was retained in Claimant’s trust account pending resolution of Claimant’s lien with Denver Health Medicaid.
4. Respondent Cobb is demanding that Claimant produce forthwith her held funds in

trust.

1. Respondent Denver Health maintains a statutory lien which precludes Claimant from complying with Respondent Cobb’s demand of Claimant.

# FIRST CLAIM FOR RELIEF

(C.R.C.P. Rule 22)

1. Claimant incorporates herein all allegations contained in paragraphs 1 through 10 in the Introductory Allegations.
2. Claimant seeks an Order from this Court pursuant to C.R.C.P. Rule 22 permitting the deposit of the disputed funds in the present case of $5,000.39 into the Registry of the Court from Claimant’s trust account.
3. Claimant requests that the District Court hear and determine the case and discharge Claimant from further liability and make all appropriate orders related to the final disposition of the subject proceeds consistent with C.R.C.P. Rule 22(2).
4. Accordingly, Claimant prays for an Order of this Court permitting the deposit of the subject $5,000.39 into the Registry of the Court discharging Claimant from any further liability.

WHEREFORE, Claimant prays for relief as is more particularly hereinafter set forth.

**WHEREFORE,** Claimant requests that this Court Order Claimant to deposit the at issue

$5,00.39 into the Registry of the Court and require Respondents to undertake the duties and obligations necessary to assist the Court in determining how said proceeds be distributed making final orders consistent with Rule 22 and for such other and further relief as to the Court appears proper in the premises.

Respectfully submitted this 31st day of October, 2018.

FIRM NAME

*s/ Lawyer NAME*

Attorneys for Claimant

Plaintiff’s Address: