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| JEFFERSON DISTRICT COURT STATE OF COLORADO 100 Jefferson County Pkwy Golden, CO 80401 | DATE FILED: February 23, 2018 2:42 PM FILING ID: 768958F5A852A CASE NUMBER: 2017CV372 |
| PLAINTIFF: LELAND ROMERO, an individual, v. DEFENDANT/COUNTERCLAIMANT: JOSEPH M. FLOREZ, IV, d/b/a ALL AMERICAN RENOVATIONS AND DEMOLITIONS, a Colorado limited liability company, v. ADDITIONAL COUNTERCLAIM DEFENDANTS: LELAND ROMERO, in his capacity as personal representative for the Estate of Leland Augustine Noeland; COMPLETE SYSTEMS, INC., a Colorado corporation; BAYVIEW LOAN SERVICING, LLC, a Florida limited liability company; REMEDY ROOFING INC., a Texas corporation; MARGARET T. CHAPMAN, in her official capacity as Public Trustee for Jefferson County, CO. | <p style="text-align: center;">▲ COURT USE ONLY ▲</p> |
| ATTORNEYS FOR DEFENDANT: Brian T. Moore # 28763 Niki Schwab, # 48060 JESTER GIBSON & MOORE, LLP 1999 Broadway, Suite 3225 Denver, Colorado 80202 Phone: (303) 377-7888 Email: bmoore@jgllp.com Fax: (303) 377-7075 Email: nschwab@jgllp.com | Case Number: 17CV372 Division: 5 Courtroom: 4E |
| <p style="text-align: center;">ALL AMERICAN RENOVATIONS AND DEMOLITIONS' VERIFIED MOTION FOR ENTRY OF DEFAULT AGAINST REMEDY ROOFING, INC.</p> | |

Defendant/Counterclaimant, All American Renovations and Demolitions, a Colorado limited liability company (“All American”), through its attorneys, Jester Gibson & Moore, LLP, and pursuant to Rules 54 and 55 of the Colorado Rules of Civil Procedure, requests that the Court enter an Order granting judgment by default against Counterclaimant Defendant Remedy Roofing,

Inc. (“Remedy”), a Texas corporation. Failure by Remedy to file a responsive pleading to All American’s counterclaims results in a waiver of all rights it may have in 1530 S. Chase Street, Lakewood, CO (“Subject Property”). In support of its Motion, Defendant/Counterclaimant states as follows:

1. On December 19, 2017, Remedy was served with copies of the Complaint and Summons. A copy of the Affidavit of Service was filed with the Court on February 15, 2018, and a copy of which is also attached hereto as **Exhibit A**.

2. More than thirty-five (35) days have elapsed since service of process upon Defendant, and Defendant has not filed an answer or other responsive pleading in this action.

3. On the basis of reasonable inquiry, Remedy is not an infant, incompetent person, officer or agency of the State of Colorado and, furthermore, is not engaged in the military service of the United States of America or any of its allies, all as more fully set forth upon the Affidavit re: Venue, Minors, Incapacitated Persons, Officers or Agents of the State of Colorado, and Military Service filed contemporaneously herewith and incorporated by this reference.

4. Venue is properly before this Court in accordance with Rule 98 of the Colorado Rules of Civil Procedure inasmuch as the Premises, which are the subject of this action, are within the County of Jefferson, State of Colorado, and the agreements that are the subject matter of this action were to be performed in the County of Jefferson.

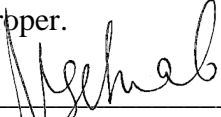
5. In accordance with Rules 54 and 55 of the Colorado Rules of Civil Procedure, there is no just reason for delay and a default judgment may now enter in favor of All American and against Remedy.

THEREFORE, Defendant/Counterclaimant, All American Renovations and Demolitions, requests entry of judgment in its favor and against Counterclaimant Defendant Remedy Roofing,

Inc., and deem its failure to file a responsive pleading as a waiver and/or disclaimer of any and all rights in the Subject Property.

VERIFICATION

I, Niki Schwab, have read the foregoing ALL AMERICAN RENOVATIONS AND DEMOLITIONS' VERIFIED MOTION FOR ENTRY OF DEFAULT AGAINST REMEDY ROOFING, INC., and hereby swear and affirm that they are true and correct to the best of my knowledge and belief and venue in this action is proper.



Niki V. Schwab

Respectfully submitted this 23rd day of February 2018.

JESTER GIBSON & MOORE, LLP

/s/ Niki V. Schwab

Brian T. Moore # 28763

Niki V. Schwab # 48060

1999 Broadway, Suite 3225

Denver, CO 80202

(303) 377-7888

**ATTORNEYS FOR THE DEFENDANT/
COUNTERCLAIM PLAINTIFF**

CERTIFICATE OF SERVICE

I certify that on this 23rd day of February 2018, a true and correct copy of the foregoing **ALL AMERICAN RENOVATIONS AND DEMOLITIONS' MOTION FOR ENTRY OF DEFAULT AGAINST REMEDY ROOFING, INC.**, was served via ICCES to the following:

Joshua R. Proctor, #33835
Andrew L. Shively, #43526
PROCTOR BRANT, P.C.
4B Inverness Court East, Suite 110
Englewood, CO 80112
jproctor@proctorbrant.com
ashively@proctorbrant.com

/s/ Cristina Tostado

Cristina Tostado

In accordance with C.R.C.P. 121 §1-26(9), a printed copy of this document with original signatures is maintained by Jester Gibson & Moore, LLP, and will be made available for inspection by other parties or the Court upon request.