

EXHIBIT 9



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Thomas | Genshaft is an AV-rated boutique law firm representing clients in all facets of commercial and civil litigation, resort real estate, land use and development. The firm's clients include Fortune 500 corporations, small and emerging businesses, contractors, development companies and individuals.

Peter W. Thomas, Managing Partner

EDUCATION

University of Virginia, Charlottesville, Virginia
Bachelor of Arts, English, May 1992, cum laude

University of Denver College of Law, Denver, Colorado
Juris Doctor, 1996 (Admitted Colo., 1996)

ADMISSIONS

Mr. Thomas is admitted to practice before all state courts in Colorado, the United States District Court for the District of Colorado and the United States Court of Appeals for the 10th Circuit. He also has been admitted to practice *pro hac vice* in New York, California, Florida and the District of Columbia.

PROFESSIONAL EXPERIENCE

1998 to Present Managing Partner

THOMAS | GENSHAFT, P.C., Aspen, Colorado

- Manage all aspects of private law practice. Represent clients in complex civil and commercial litigation, class action, real estate, condominium, construction, land use and development matters.

1997 to 1998 Associate Attorney

J. NICHOLAS MCGRATH, P.C., Aspen, Colorado

- Represented clients in civil litigation, condominium, land use and development matters.

1996 to 1997 Associate Attorney

MCKENNA & CUNEO, LLP, Denver, Colorado

- Worked in the firm's real estate and litigation departments on various client matters.

1995 to 1996 Law Clerk
COLORADO SUPREME COURT, Anthony F. Volland, Chief Justice

- Researched and drafted memoranda on certiorari petitions for the Chief Justice.

REPRESENTATIVE CASES

The following are a sample of representative engagements:

- Class counsel for over 1,100 national corporate dealerships in \$400 million dollar class action against ADT Security Services, a wholly-owned subsidiary of manufacturing conglomerate Tyco International, Ltd., arising from deceptive contractual and accounting misdealing in its Authorized Dealer Program.
- Successful representation of defrauded investors in a \$56 million dollar international Ponzi scheme and money laundering operation resulting in the federal seizure and forfeiture of the historic Redstone Castle. *Lange v. Reserve Foundation Trust*, Pitkin Dist. Ct. Case No. 01 CV 113; *Kogelles v. Reserve Foundation Trust*, Pitkin Dist. Ct. Case No. 02 CV 190.
- Represented brokerage firm in sale of highest priced personal property in U.S. History for \$175,000,000.00.
- Successful representation through trial and appeal to Supreme Court of equestrian accident victim resulting in severe traumatic brain injury. *Waneka v. Chynke*, 157 P.3d 1072 (Colo. 2007)
- Successful representation through trial and appeal of \$650,000.00 real estate commission dispute arising from sale of multi-million dollar residential property. *Joshua & Co. v. Beasant Rev.Trust*, 04 CA 2679 (Colo.App.)
- Successful representation of resort television stations in \$840,000.00 commercial arbitration against national ski advertising agency. *Waveform Telemedia v. Sitour USA (NAMM)*.
- Successful defense of defendant bar/restaurant in dram shop liability lawsuit involving the fatal beating death of an intoxicated bar patron in Breckenridge. *Estate of Cody Wieland v. Sherpa & Yetis et al.*, 2003 CV 339 (Summit District Court).
- Successful representation of defendant through trial and appeal of \$4,000,000.00 option contract for the purchase and development of mining claims on Aspen Mountain. *Blue Ridge Capital v. Wilkinson*, 2004 WL 2677708 (Colo. App. 2004).
- Assisted in the successful representation of hotel developers in \$100 million lis pendens bond action involving the Aspen Ritz Carlton Hotel. See *Hadid v. Sheik Al-Ibrahim*, 1997 WL 606422 (D.Colo. 1997).
- Successful representation of publicly traded company in a construction bond action arising from WorldCom's installation of a \$150 million statewide fiber optic telecommunication network. *Primelink Systems v. XL Specialty Insurance*, Denver Dist. Ct. Case No. 2002 CV 3660.

- Successful representation of accredited investors in \$980,000.00 NASD securities arbitration against a day trading brokerage firm for allowing a non-registered “investment advisor” to exercise discretionary trading authority over individual margin accounts resulting in the 98% devaluation of individual portfolios. Sharp v. Marketwise Securities et al., NASD-DR No. 02-02140.
- Lead trial counsel, on remand, in successful precedent-setting Title IX and Section 1983 action arising from sexual assault of disabled child. Murrell v. School Dist. No. 1, 186 F.3d 1238 (10th Cir. 1999).
- Successful representation of Estate of driver killed in trucking accident when faulty pin connection broke and crushed driver under the trailer rig. Confidential settlement. Payne v. Valley Equipment and Kalco Trucking, 2002 CV 6474 (Denver Dist. Court).

PUBLISHED OPINIONS

- Platt v. Aspenwood Condominium Ass’n, 214 P.3d 1060 (Colo. App. 2009)
- Ripple Resort Media, Inc. v. SkiView Corp., 2008 WL 4678518 (D. Colo. 2008)
- Waneka v. Clynke, 157 P.3d 1072 (Colo. 2007)
- Blue Ridge Capital v. Wilkinson, 2004 WL 2677708 (Colo. App. 2004)
- Murrell v. School Dist. No. 1, 186 F.3d 1238 (10th Cir. 1999)

LEADERSHIP

- Legal Director, Colorado Whitewater Association (2001-2006)
- Volunteer Counsel, September 11 ATLA Victims Compensation Fund Instructor
- Reed Smith High School Mock Trial Team (1997-1998)
- Chairman, Pitkin County Planning and Zoning Commission (2000-2006)
- Board Member, Colorado Bar Association YLD Executive Council (1999-2002)
- American Trial Lawyers Association Colorado Trial Lawyers Association Colorado and American Bar Associations
- Firm attorneys are active in local legal service non-profit, Alpine Legal Services (Present)

SPEAKING ENGAGEMENTS

- 2006, Aspen Board of Realtors, "A Realtor's Guide to the New Pitkin County Land Use Code"
- 2005, Aspen Board of Realtors, "A Primer on Senate Bill 05-100"
- 2000, City of Aspen, "Corporate Data Preservation and Protection"