

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF COLORADO

In re:	)	
	)	
FRONT RANGE PIPE & SUPPLY, INC.,	)	Case No. 04-17042 SBB
TIN: 84-1133596	)	Chapter 7
Debtor.	)	
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JEFFREY A. WEINMAN, TRUSTEE,	)	Adv. Pro. No. 07-01299-SBB
	)	
Plaintiff,	)	
v.	)	
VIRGIL BAKER,	)	
d/b/a Cloud City,	)	
Defendant.	)	

**PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW  
REGARDING PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT  
IN NON-CORE PROCEEDING**

This matter comes before the Court for consideration of Plaintiff's Motion for Default Judgment in Non-Core Proceeding ("Motion").

This Court proposes that the U.S. District Court should FIND and CONCLUDE that Plaintiff has duly served copies of the Summons and Complaint in this proceeding upon Defendant and that Defendant has not answered or otherwise timely responded to same, that the U.S. District Court has personal jurisdiction over Defendant and jurisdiction over the subject matter of this proceeding. In addition, this Court proposes that the U.S. District Court should FIND that venue is properly laid in the District of Colorado and that the provisions of The Servicemembers' Civil Relief Act of 2003 have been satisfied. and that, to the extent that the Defendant is a member of the military, and he can demonstrate the same, he shall not be precluded from raising defenses thereunder.

Based on these proposed findings and conclusions, this Court recommends that:

1. The Motion should be GRANTED, and

2. JUDGMENT should be ENTERED in Plaintiff's favor and against Defendant Virgil Baker, d/b/a/ Cloud City, on Plaintiff's Complaint to Collect Prepetition Receivable in the amount of \$3,544.31, plus interest from November 30, 2003, forward, at the rate of 8% per annum, compounded annually, and costs in the amount of \$250.00.

In accordance with D.C. Colo. L. Civ. R. 84.1.D., it is HEREBY ORDERED that:

A. Within five (5) days of the date hereof, the Clerk of this Court shall mail copies of this document to each of the following persons and entities:

United States Trustee  
999 18<sup>th</sup> Street, #1551  
Denver, CO 80202

Virgil Baker  
Cloud City  
8601 Zuni St, #16  
Westminster, CO 80260

B. The persons and entities listed immediately above shall have fifteen (15) days from the date hereof within which to file written objections to this Court's proposed findings and conclusions. Objections lacking specificity as to factual findings or legal conclusions the objecting party claims to have been erroneously made and objections not timely filed may be summarily overruled.

C. If no objection is filed, the recommendations of this Court may be accepted by the U.S. District Court, and appropriate orders (including Judgment) may be entered without further notice.

Dated: August 15, 2007

BY THE COURT:

  
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Sidney B. Brooks,  
United States Bankruptcy Judge