



**SO
ORDERED**

The moving party is hereby ORDERED to provide a copy of this Order to any prose parties who have entered an appearance in this action within 10 days from the date of this order.

Tamara S. Russell
Jefferson District Court Judge
DATE OF ORDER INDICATED ON ATTACHMENT

EFILED Document

District Court, County of Jefferson, State of Colorado
Court Address: 100 Jefferson County Parkway, Golden, CO 80401
Court Telephone: 303-271-6145

CO Jefferson County District Court 1st JD
Filing Date: Jul 27 2011 4:17PM MDT
Filing ID: 38946207
Review Clerk: Luz R

Plaintiff: **CROSSROADS COMMERCIAL CENTER, LTD., LLLP**, a Colorado limited liability limited partnership,
v.
Defendant: **GAROLD B. KRAFT (d.b.a. EXOTIC MOTORS)**, an individual;
and
Plaintiff: **BANK OF CHOICE**, a Colorado corporation,
v.
Defendants: **CROSSROADS COMMERCIAL CENTER, LTD., LLLP**, a Colorado limited liability limited partnership, and **RANDOLPH CURRIER**, an individual,
v.
Third-Party Defendants: **GOLDEN APPRAISAL SERVICES, LLC**, a Colorado limited liability company, **GAROLD B. KRAFT**, an individual, **VAL SIMONE**, an individual, and **ERIC TUERS**, an individual.

▲ COURT USE ONLY ▲

Case No: 2010 CV 4988
Division: 4

ORDER DISMISSING CERTAIN CLAIMS WITH PREJUDICE

THE COURT, having reviewed that Stipulated Motion to Dismiss Certain Claims With Prejudice filed jointly by Bank of Choice, Crossroads Commercial Center, Ltd., LLLP, and Randolph Currier, having reviewed any responses thereto, and being otherwise fully advised, HEREBY GRANTS THE MOTION.

IT IS THEREFORE ORDERED that the following claims asserted in the present action are DISMISSED WITH PREJUDICE:

- A. Bank of Choice's First Claim for Relief (Money owed on the Note: Crossroads);
- B. Bank of Choice's Second Claim for Relief (Money owed on the Guaranty: Currier);
- C. Bank of Choice's Fourth Claim for Relief (Unjust Enrichment);
- D. Crossroads' and Currier's First Amended Counterclaim (Deceit by Misrepresentation) as to Bank of Choice and Eric Tuers only;
- E. Crossroads' and Currier's Second Amended Counterclaim (Deceit by Concealment) as to Bank of Choice and Eric Tuers only;

- F. Crossroads' and Currier's Third Amended Counterclaim (Civil Conspiracy) as to Bank of Choice and Eric Tuers only;
- G. Crossroads' and Currier's Fourth Amended Counterclaim (Negligent Misrepresentation) as to Bank of Choice and Eric Tuers only;
- H. Crossroads' and Currier's Sixth Amended Counterclaim (Breach of Contract) as to Bank of Choice only;
- I. Crossroads' and Currier's Seventh Amended Counterclaim (Consumer Protection) in its entirety;
- J. Crossroads' and Currier's Eighth Amended Counterclaim (COCCA) in its entirety; and
- K. Crossroads' and Currier's Ninth Amended Counterclaim (RICO) in its entirety.

IT IS FURTHER ORDERED that Bank of Choice, Eric Tuers, Crossroads Commercial Center, Ltd., LLLP and Randolph Currier shall be responsible for their respective attorneys' fees and costs incurred with regard prosecuting and/or defending against the foregoing claims.

Dated:_____

BY THE COURT:

District Court Judge

This document constitutes a ruling of the court and should be treated as such.

Court: CO Jefferson County District Court 1st JD

Judge: Tamara Russell

Alternate Judge: Unassigned

File & Serve

Transaction ID: 38849429

Current Date: Jul 27, 2011

Case Number: 2010CV4988

Case Name: CROSSROADS COMMERCIAL CENTER LTD vs. KRAFT, GAROLD B et al

Court Authorizer: Tamara Russell

/s/ **Judge Tamara Russell**