

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Honorable R. Brooke Jackson

Civil Action No 13-cv-00353-RBJ

NANCY RUMER BEAUDRY, Independent Executrix of  
THE ESTATE OF HARRY R. BEAUDRY, deceased,

Plaintiff,

v.

FIRST NATIONAL BANK OF THE ROCKIES, a Colorado banking institution,  
KAUA'I VENTURE, LLC, a Colorado limited liability company,  
DESERT LILY ESTATES, LLC, a Colorado limited liability company,  
PINENEEDLE DEVELOPMENT, LLC, a Colorado limited liability company,  
TRACY ENTERPRISES, INC., a Colorado corporation,  
MICHAEL A. TRACY, individually, and  
JACK BLANTON, individually,

Defendants.

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ORDER TO DISMISS A PORTION OF PLAINTIFF'S  
CLAIMS FOR RELIEF (FIRST CAUSE OF ACTION)

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The Court having considered the Stipulated Motion filed by the Plaintiff and the Defendants, and being fully advised in the matter, HEREBY ORDERS that as to the Plaintiff's First Cause of Action for Fraudulent Conveyance that the following requests for relief be dismissed with prejudice:

- a) Avoidance of the transfer of the property to Bank to the extent necessary to satisfy the creditor's claim;

- b) An attachment or other provisional remedy against the Property or other Bank property in accordance with the procedure prescribed by the Colorado Rules of Civil Procedure;
- c) Subject to applicable principles of equity and in accordance with applicable rules of civil procedure: (I) An injunction against further disposition by Bank of the Property or of other property; (II) Appointment of a receiver to take charge of the Property or other property of the Bank.

DATED this 25th day of November, 2013.

BY THE COURT:

A handwritten signature in black ink, appearing to read "R. Brooke Jackson", written in a cursive style. The signature is positioned above a horizontal line.

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R. Brooke Jackson  
United States District Judge