

THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Senior District Judge Richard P. Matsch

Civil Action No. 14-cv-00150-RPM

SEAN ALEXANDER and  
CINDY ALEXANDER,

Plaintiffs,

v.

LIBERTY ACQUISITIONS SERVICING, LLC,

Defendant.

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ORDER GRANTING SUMMARY JUDGMENT FOR DEFENDANT

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Pursuant to the hearing held today and the oral recitation of undisputed facts and the finding and conclusion that the writ of garnishment issued while a default judgment “remained standing” as a result of County Court Judge Walter’s ruling on April 13, 2012, that service was defective but the defendant failed to provide a legal defense to the plaintiff’s claims. The plaintiffs’ contention is that counsel for the defendant should have recognized that order in error and should have refrained from proceeding with collection efforts because counsel should have known the judgment was void. There is no violation of the Fair Debt Collection Practices Act. It is therefore

ORDERED the plaintiffs’ motion for summary judgment is denied, the defendant’s motion for summary judgment is granted and judgment shall enter for the defendant dismissing this civil action and awarding costs.

Dated: March 25<sup>th</sup>, 2015

BY THE COURT:

s/Richard P. Matsch

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Richard P. Matsch, Senior District Judge