

Small Claims Court \_\_\_\_\_ Douglas \_\_\_\_\_ County, Colorado  
Court Address: 4000 Justice Way, Castle Rock, Colorado 80109

**PLAINTIFF(S):** \_\_\_\_\_ James D. Rogers \_\_\_\_\_  
Address: \_\_\_\_\_ 2207 Meadowgreen Circle \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_ Franktown, Colorado 80116 \_\_\_\_\_  
Phone: Home \_\_\_\_\_ 303-688-0480 Work \_\_\_\_\_ Cell \_\_\_\_\_ 303-886-7410

v.  
**DEFENDANT(1):** \_\_\_\_\_ Bannockburn Homeowners Association \_\_\_\_\_  
Address: \_\_\_\_\_ P.O. Box 211 \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_ Franktown, Colorado 80116 \_\_\_\_\_  
Phone: Home \_\_\_\_\_ Work \_\_\_\_\_ Cell \_\_\_\_\_

**DEFENDANT(2):** \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_  
Phone: Home \_\_\_\_\_ Work \_\_\_\_\_ Cell \_\_\_\_\_

SERVE

OCT 12 2022

**▲ COURT USE ONLY ▲**

Case Number: 22 S 179

Division A Courtroom

**NOTICE, CLAIM AND SUMMONS TO APPEAR FOR TRIAL (Part 2)**

If Defendant(s) is/are other than a person, go on-line at [www.coloradosos.gov](http://www.coloradosos.gov) to determine the registered agent for service of this notice. Please enter name and address of the agent. Name: Jack Shuler  
Address: P.O. Box 211, Franktown, Colorado 80116  
Home address: 10808 Holden Circle, Franktown, Colorado 80116

1. The Defendant(s) is/are in the military service:  Yes  No  Unknown
2. The Defendant(s) reside(s), is/are regularly employed, has/have an office for the transaction of business, or is/are a student in this county, or real property located in this county is the subject of claim(s) arising from a restrictive covenant or security deposit dispute.  Yes  No
3. I/We understand that it is my/our responsibility to have each Defendant served with the "Defendant's Copy" of this Notice by a person whose age is 18 years or older and who is not a party to this action 15 days prior to the trial and to provide the Court with written proof of service.  Yes  No
4. I am an attorney:  Yes  No

**Notice and Summons to Appear for Trial** *mediation*

**To the Defendant(s):**  
You are scheduled to have your trial in this case on Nov. 29, 2022 (date) at 9:00am (time) at the Court address stated in the above caption. Bring with you all books, papers and witnesses you need to establish your defense. **If you do not appear, judgment may be entered against you.** If you wish to defend the claim or present a counterclaim, you must provide a written response or written counterclaim on or before the scheduled trial date and pay a **nonrefundable** filing fee.

Dated: 10/12/22

*Asheley Bell*  
Clerk of Court/Deputy Clerk



**Plaintiff(s)'s Claim (Please summarize reasons to support your claim below.)**  
The Defendant(s) owe(s) me \$6000.00 \_\_\_\_\_, which includes penalties, plus interest and costs allowed by law, and/or should be ordered to return property, perform a contract or set aside a contract or comply with a restrictive covenant for the following reasons. (If seeking return of property, please describe the property being requested).

Defendant failed to respond within 40 days to 12 separate requests for Bannockburn HOA 2021 legal bills as enumerated in a letter from me dated 4/25/2022, sent to Defendant via Certified mail, return receipt requested, and received by Defendant on April 28, 2022. Defendant's response letter dated May 19, 2022, was received by me on by me on May 21, 2022, and contained no documents. A second response dated June 8, 2022, was received by me on June 14, 2022, 47 days after Defendant received requests. This second response did include the requested monthly 2020 legal bills.

**Note: The combined value of money, property, specific performance or cost to remedy a covenant violation cannot exceed \$7,500.00.** I/we declare under penalty of perjury under the law of Colorado that the foregoing is true and correct. I/we have not filed in any Small Claims Court in this County more than 2 claims during this calendar month, nor more than 18 claims in this County in this calendar year.

Dated: 10/5/2022

*James D. Rogers*  
Plaintiff's Signature

\_\_\_\_\_  
Plaintiff's Signature



Small Claims Court, County of Douglas  
Douglas Combined Courts  
1000 Justice Way Suite 2009  
Castle Rock CO 80109  
303-437-6200

IN THE COUNTY OF DOUGLAS  
COUNTY CLERK'S OFFICE

OCT 12 2022

• COURT USE ONLY •

Plaintiff(s): James D. Rogers

Defendant(s): Bannockburn Homeowners Association

Case Number:

22S179

Division: A

SMALL CLAIMS CASE MANAGEMENT ORDER

THIS COURT, in its efforts to facilitate a smooth and speedy resolution of the large number of conflicts brought before it, hereby issues the following case management order:

It is hereby ordered that the parties must attend mediation prior to trial. THIS MEDIATION IS MANDATORY, AND EACH LITIGANT IS ORDERED TO PAY \$20.00 IN CASH (per side), TO THE MEDIATOR UNLESS BOTH PARTIES AGREE TO AN ALTERNATIVE MEDIATOR, WHICH MEDIATION SHALL OCCUR BEFORE THE MATTER IS SET FOR TRIAL.

Plaintiff must appear at the Clerk of Court Window for check-in, at the time scheduled for your case, where you may proceed to satisfy your mediation. Be sure to bring all your evidence (exhibits) with you to mediation. You must bring three copies of your exhibits; one for the Magistrate, one for the defendant, and one for the plaintiff. Plaintiff (person bring the suit) must label their exhibits with numbers (i.e. Exhibit 1, Exhibit 2, etc.) and the defendant must label their exhibits with letters (i.e. Exhibit a, Exhibit B, etc.).

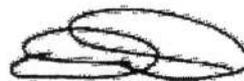
If the mediation is successful, you will sign a document confirming your agreement. If the mediation is unsuccessful, each party shall go to the Clerk of Courts window, to file an Answer and pay the Answer filing fee.

The mediator will let the Clerk of Court Office know if a trial needs to be scheduled. **Most likely, your trial will be scheduled on the Friday after mediation.** All parties must appear back at the Clerk of Court window, immediately after mediation, if a trial needs to be set. Your exhibits will be processed by the clerk at this time and exchanged with the other party.

If your case is scheduled for trial, the parties will be given a Small Claims Advisement. The Advisement explains the trial process. The parties are to read the Advisement carefully. Exhibits and a witness list should be exchanged between parties in advance of the trial so that parties will be prepared to proceed at the time of trial. The parties should appear at least 15 minutes prior to the time scheduled for trial to assure all parties are ready to begin the trial at the time scheduled.

If you fail to appear as scheduled, a Default Judgement may enter against you, or, if you are the plaintiff, your case may be dismissed with prejudice. If a default judgement enters against you, you will be responsible for the full amount of the judgement, plus costs. If your case is dismissed, absent good cause, you may not be able to bring your case against the defendant in any court again.

November 5, 2021



Magistrate Stewart, Division A