

**An Important Message from FRMD Nos 2 & 3:**

As was outlined in the October 18, 2017 release, Brookfield has refused to advance the funds needed to pay the community's ongoing operation/service costs, notwithstanding the fact that Brookfield will be reimbursed for such payments when the Court determines who will be governing FRMD No. 1. Select urgent invoices were paid with remaining funds in the FRMD Nos 2 & 3 checking accounts. An emergency motion was filed with the Court on October 23, 2017 asking the Court to compel Brookfield to immediately wire the funds, as it agreed to do in the Stipulation entered into by both parties at the August 9, 2017 Status Conference. Brookfield has 7 days to file a response with the Court (due by October 31, 2017.) The emergency motion is available for review on Solterra Connect-District Tab-Documents.

Also outlined in the October 18, 2017 release, both parties (FRMD Nos 2 & 3 and Brookfield) filed a "Joint Request for Ruling." Simultaneously, the Court sent an "Order to Set Status Conference," after the parties had a conference call with the Lakewood City Attorney. The parties held the conference call with the City Attorney on Friday afternoon, October 20, 2017. The Status Conference is now set for **November 2, 2017 at 1:00pm in Judge Oeffler's courtroom.**

The law firm of White Bear Ankele Tanaka & Waldron resigned as General Counsel for FRMD No 1 on October 20, 2017. The firm attributed its resignation to the lack of any board or governing body for FRMD No 1.

Big Sky Metropolitan District (BSMD) and Green Mountain Water & Sanitation District (GMWSD) vs. FRMD No 1 update – FRMD Nos 2 & 3 Special Counsel has been in discussions with Special Counsel for BSMD & GMWSD, Charles Norton, with Norton & Smith. Mr. Norton has agreed to file a Motion with the Court to put that lawsuit on hold until November 15, 2017. By then we expect to have the decision by Judge Oeffler on control of FRMD No 1 and we may be able to avoid the need to have FRMD Nos 2 & 3 file a "Motion to Intervene" in that lawsuit.

For those who are not familiar, Big Sky Metropolitan District is one of several Special Districts surrounding the Fossil Ridge Metro Districts (Solterra.) BSMD is directly to the West of our community, on the other side of McIntyre. This case came to our attention on October 9, 2017 and we do not have all the details. It appears that the dispute is over how much is owed to FRMD No 1 for oversizing of certain sewer lines that connect to Green Mountain Water & Sanitation District's sanitation system and what amount, if any, is owed for in connection with certain waterlines constructed by Consolidated Mutual Water.

**There will be a Special Meeting of the FRMD Nos 2 & 3 Board of Directors held on Tuesday, November 7, 2017 at The Retreat at Solterra, 15260 W. Evans Ave, Lakewood, CO 80228 at 6:30pm. Agenda items are being collected and will be available 72 hours prior to the meeting.**