

KAMLET REICHERT

ATTORNEYS AT LAW

August 10, 2009

Richard Block
Custodian, Colorado Humane Society
c/o Waverton Group, LLC
4101 E. Louisiana Avenue
Suite 300
Denver, CO 80246

Re: *State of Colorado ex rel. John Suthers v. Colorado Humane Society & S.P.C.A., Inc.*
Arapahoe County District Court Case No. 2008 CV 2659

Dear Mr. Block:

This correspondence is provided to you, as Custodian for the Colorado Humane Society & S.P.C.A., Inc. ("CHS"), as formal notice of the following claim ("Claim") for payment to Mary Warren by CHS, in accordance with the Amended Order to Present and File Claims entered by the Court in the above-listed matter on July 10, 2009.

Mrs. Warren submits this Claim subject to and without waiving any of her rights to request leave to further pursue repayment of this Claim, in any legal or equitable action consolidated hereunder. By submitting this Claim, Mrs. Warren in no way intends to waive, and has not waived or in any way relinquished, her rights to procedural and substantive due process, and in the event of denial, any other rights she may have under state or federal law to repayment of her Claim, all such rights being expressly reserved hereby.

Subject to the foregoing reservation of rights, Mrs. Warren submits the following information in support of her Claim:

- a. Name: Mary Warren
- b. Address: c/o Fredric Winocur, Esq., Kamlet Reichert LLP, 1515 Arapahoe Street, Tower One, Suite 1600, Denver, Colorado, 80202.
- c. Telephone: c/o Fredric Winocur, Esq., 303-825-4200
- d. Fax: c/o Fredric Winocur, Esq., 303-825-1185
- e. Email: c/o Fredric Winocur, Esq., fwinocur@kamletlaw.com

- f. Amount of claim as of 12/16/2008: **\$amount to be determined at trial**
- g. Date claim arose: 12/10/08
- h. Preference and priority status: This is a priority claim, as CHS is **required by statute** to indemnify Mrs. Warren, *see* C.R.S. §§ 7-129-103 and 7-129-107
- i. Security: This claim is not secured.
- j. Interest: This claim bears interest pursuant to Title 5 of Article 12 of the Colorado Revised Statutes
- k. Basis of Claim: Indemnification, pursuant to common law, CHS's By-Laws, and Article 129 of Title 7 of the Colorado Revised Statutes
- l. Supporting Documents: n/a
- m. Offset/Counterclaim: To the extent Mrs. Warren understands this language and its intent, Mrs. Warren states that CHS is not entitled to any offset or counterclaim from this amount.
- n. Attorney for Mrs. Warren: Fredric Winocur, Esq. and Livingston Keithley, Esq., Kamlet Reichert LLP
- o. Other claims pending: Mrs. Warren affirms that there are no claims pending from her against CHS in any other court or legal proceeding, and that all claims against CHS have been filed within the instant civil action.

This Claim is in addition to any other claim which Mrs. Warren has previously submitted to CHS and/or the Custodian, and does not replace or reduce any amounts claimed by her in any other such Claim submitted on or before the date listed above.

