

APPROVED Movant shall serve copies of this ORDER on any pro se parties, pursuant to CRCP 5, and file a certificate of service with the Court within 10 days.

Dated: Jun 28, 2011

DATE OF ORDER INDICATED ON ATTACHMENT

William W. Hood III **District Court Judge** 

DISTRICT COURT, CITY AND COUNTY OF DENVER, **COLORADO** 

1435 Bannock Street Denver, CO 80202

Plaintiff(s): POWERTECH (USA) INC.;

**Defendant(s):** COLORADO MINED LAND

**RECLAMATION BOARD;** 

and

**Proposed Defendant-Intervenor(s):** COLORADOANS

AGAINST RESOURCE DESTRUCTION;

TALLAHASSEE AREA COMMUNITY, INC.; SHEEP

MOUNTAIN ALLIANCE.

▲ COURT USE ONLY ▲

Case Number: 2010CV8615

Ctrm.: 215

### [PROPOSED] ORDER

THIS MATTER having come before the Court on Proposed Defendant-Intervenors' Unopposed Motion to Intervene, the Court, having reviewed the Motion, and having been fully advised of the facts, hereby issues the following findings and order:

## **FINDINGS**

Intervention as of right is appropriate under C.R.C.P. 24(a) where: (1) the intervention is timely; (2) the proposed intervenor has a substantial interest relating to the property or transaction that is the subject of the action; (3) the proposed intervenor's ability to protect its interests may as a practical matter be impaired or impeded by a resolution in this case; and (4) the existing parties may not adequately represent the proposed intervenor's interests. The Court finds that Proposed Defendant-Intervenors satisfy all four prongs of the test under C.R.C.P. 24(a), and thus intervention is appropriate in this case.

## <u>ORDER</u>

IT IS HEREBY ORDERED that Proposed Defendant-Intervenors'	Unopposed
Motion to Intervene is GRANTED.	

DATED20	11
	BY THE COURT
	William W. Hood III District Court Judge

#### This document constitutes a ruling of the court and should be treated as such.

Court: CO Denver County District Court 2nd JD

Judge: William W Hood

File & Serve

**Transaction ID:** 37933750

Current Date: Jun 28, 2011

Case Number: 2010CV8615

Case Name: POWERTECH USA INC vs. ST OF COLO MINED LAND RECLAMATION BOARD et

al

Court Authorizer: William W Hood III

# **Court Authorizer Comments:**

Intervenors Coloradoans Against Resource Destruction's (CARD), Tallahassee Area Community, Inc.'s (TAC), and Sheep Mountain Alliance's (SMA), Motion to Intervene is GRANTED.

/s/ Judge William W Hood III