

DISTRICT COURT, DENVER COUNTY, COLORADO Court Address: 1437 Bannock Street, Rm 256, Denver, CO, 80202	DATE FILED: March 17, 2017 10:31 AM CASE NUMBER: 2015CV31639  <p style="text-align: center;"><b>⚠ COURT USE ONLY ⚠</b></p>
<b>Plaintiff(s)</b> JULIE ANN MEADE v. <b>Defendant(s)</b> PEAK RESOLUTION LLC et al.	
<b>Order: Modified Order Re Plaintiff's Motion for Default Judgment Against All Defendants</b>	

The motion/proposed order attached hereto: SO ORDERED.

Issue Date: 3/17/2017



MICHAEL JAMES VALLEJOS  
 District Court Judge

<p>DISTRICT COURT, CITY AND COUNTY OF DENVER, COLORADO 1437 Bannock Street Denver, CO 80202</p> <hr/> <p>JULIE ANN MEADE, ADMINISTRATOR, COLORADO FAIR DEBT COLLECTION PRACTICES ACT,</p> <p>Plaintiff,</p> <p>v.</p> <p>PEAK RESOLUTION, L.L.C. D/B/A P.R ASSOCIATES, L.L.C. AND/OR PEAK RESOLUTION SERVICES AND/OR THE LAW OFFICE P.R. ASSOCIATES; DANIEL CANE; CHRISTOPHER HAGERMAN; and SUN RESOLUTION, LLC,</p> <p>Defendants.</p>	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
	<p>Case No.: 15CV31639</p> <p>Courtroom: 409</p>
<p><b>MODIFIED PROPOSED ORDER RE: PLAINTIFF’S MOTION FOR DEFAULT JUDGMENT AGAINST ALL DEFENDANTS</b></p>	

This matter having come before the Court on Plaintiff’s *First Amended Complaint* (“*Complaint*”) and Plaintiff’s *Motion for Default Judgment Against All Defendants* (“*Default Motion*”), the attachments thereto, as well as the January 25, 2017 damages hearing, and being fully advised in the premises, makes the following findings and enters the following judgment:

1. The Court incorporates its factual findings and remedies from its March 7, 2017 *Order Regarding Remedies Pursuant to the Colorado Fair Debt Collection Practices Act and C.R.S. § 12-14-134*.

2. The Court finds that Defendants were properly served with the *Complaint* and summons, and are in default for failing to answer or respond within the required time.

3. Venue is proper pursuant to C.R.S. § 12-14-135.

4. Neither Defendant Cane nor Defendant Hagerman are minors, incompetent or incapacitated, an officer or agent of the state of Colorado, or in the military service. Likewise, Defendants Peak Resolution, LLC and Sun Resolution, LLC are not agencies of the State of Colorado.

5. The allegations against Defendants in the *Complaint* are deemed admitted.

6. There being no responsive pleading filed by the Defendants in this matter, and upon review of the *Complaint*, the *Default Motion* and affidavits and exhibits attached thereto, and the evidence adduced at the January 25, 2017 damages hearing, the remedies sought by Plaintiff in this matter are provided by law, and sufficient evidence exists for the entry of relief in this matter as determined by the Court in its March 7, 2017 *Order Regarding Remedies Pursuant to the Colorado Fair Debt Collection Practices Act and C.R.S. § 12-14-134*.

7. Based on the foregoing, there is no just reason to delay entering judgment against Defendants, and Plaintiff is entitled to injunctive and monetary relief.

THEREFORE, IT IS HEREBY ORDERED as follows:

1. The Court has jurisdiction over Defendants and the subject matter of this action.

2. A permanent injunction shall enter in this matter, pursuant to the following terms under C.R.S. § 12-14-135:

Defendants and any officers, directors, agents, servants, attorneys, heirs, successors, or assigns of Defendants are hereby immediately and permanently restrained and enjoined from:

Engaging, directly or indirectly, in consumer debt collection or otherwise acting as a collection agency without a license or otherwise committing any of the acts, conduct, transactions, or violations described above, or otherwise violating the Colorado Fair Debt Collection Practices Act (“CFDCPA”), C.R.S. § 12-14-101, *et seq.*

3. In addition, also pursuant to C.R.S. § 12-14-135, the Court

enters judgment in Plaintiff's favor against Defendants in a penalty amount of \$315,800, reflecting the maximum \$1,500.00 penalty for 161 phone calls to consumers where abusive and misleading misrepresentations were made and \$100 for 743 phone calls made without a license. The Court separately enters judgment in Plaintiff's favor against Defendants for restitution in the amount paid by Colorado consumers of \$37,701.22.

4. Furthermore, also pursuant to C.R.S. § 12-14-135, the Court awards Plaintiff her reasonable attorney fees and costs as the prevailing party. Specifically, based on the records submitted by counsel, the Court awards Plaintiff \$137,776.75 in attorney fees and costs against Defendants.

5. All of these judgments are joint and several and will bear statutory interest until satisfied. They constitute final judgments in favor of Plaintiff against Defendants as of the date of this judgment. The clerk shall enter the judgment in the Register of Actions pursuant to C.R.C.P. 79(a).

Dated this \_\_\_\_ day of \_\_\_\_\_ 2017.

BY THE COURT:

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DISTRICT COURT JUDGE