

DISTRICT COURT, BOULDER COUNTY, COLORADO Court Address: 1777 6th St., Boulder, CO 80302	DATE FILED June 15, 2026 9:51 AM
IN THE MATTER OF THE APPLICATION OF BOTANY LLC , for an Order authorizing the Public Trustee of the County of Boulder, State of Colorado, to sell certain real estate under a power of sale contained in a deed of trust.	▲ COURT USE ONLY ▲
Attorney: Berg Hill Greenleaf Ruscitti LLP Peter C. Schaub, Atty. Reg. No. 37973 1712 Pearl Street Boulder, Colorado 80302 Telephone: 303-245-4579 E-mail: pcs@bhqrlaw.com	Case Number: <u>2026CV030517</u> Div.: 3
NOTICE OF RESPONSE DEADLINE	

TAKE NOTICE THAT YOU MAY BE AFFECTED BY THE FORECLOSURE OF A DEED OF TRUST ON THE REAL PROPERTY DESCRIBED BELOW.

BOTANY LLC, has filed a Motion with this Court, claiming to be the owner of a Promissory Note in the original amount of \$1,050,000.00, dated August 17, 2016, signed by Gary West as Manager of Isabelle Holdings, LLC, and a Deed of Trust securing said Note to the Public Trustee of Boulder County, Colorado, dated August 17, 2016, and recorded September 19, 2016, at Reception No. 03544397 of the records of Boulder County, Colorado.

The Motion claims that Applicant is entitled to foreclose the Deed of Trust and that the indebtedness secured thereby is in default because of nonpayment. The Motion requests a Court Order authorizing the Public Trustee to sell the following real property in Boulder County, Colorado:

The South ½ of the Northwest ¼ of the Southwest ¼ of the Southwest ¼ of Section 22, Township 1 North, Range 69 West of the 6th P.M., Except the East 30.00 feet thereof, County of Boulder, State of Colorado.

a/k/a 10452 Isabelle Rd., Lafayette, CO 80026-9106.

If you dispute the default or if you dispute that Applicant is the real party in interest or if you believe that the status of any request for a loan modification agreement bars a

foreclosure sale as a matter of law or if you dispute other facts claimed by Applicant to justify its right to an order authorizing sale, or if you are entitled to protection under the Servicemembers Civil Relief Act of 2003 (50 U.S.C. §§ 3901, *et seq.*), as amended, you must file and serve a response to the Motion, describing the facts upon which you rely in objecting to the issuance of an order authorizing sale. You may attach copies of any documents which support your position. Your response shall include your contact information including your name, mailing address, telephone number, and, if applicable, an email address. Any response must be filed with the Clerk of this Court, at the Office of the Clerk of the Boulder County District Court, 1777 6th St., Boulder, CO 80302, not later than July 6, 2026, and a copy of the response shall also be mailed or delivered by the same date to Berg Hill Greenleaf Ruscitti LLP, ATTN: Peter C. Schaub, Esq., 1712 Pearl Street, Boulder, CO 80302.

If a response is filed stating grounds for opposing the motion within the scope of Rule 120 as provided for in section (d), the Court will set the matter for hearing at a later date. The clerk shall clear available dates with the parties and counsel, if practical, and shall give notice to counsel and any self-represented parties who have appeared in the matter, in accordance with the rules applicable to e-filing, no less than 14 days prior to the new hearing date.

Any person who files a response may be required to pay a docket fee in the amount specified by law (currently \$222.00) at the time of the filings.

IF NO RESPONSE IS FILED BY JULY 6, 2026, THE COURT MAY, WITHOUT A HEARING AND WITHOUT FURTHER NOTICE, AUTHORIZE THE FORECLOSURE AND A PUBLIC TRUSTEE'S SALE.

NOTE: IF THIS CASE IS NOT FILED IN THE COUNTY WHERE YOUR PROPERTY IS LOCATED, YOU HAVE THE RIGHT TO ASK THE COURT TO MOVE THE CASE TO THAT COUNTY. YOUR REQUEST MAY BE MADE AS A PART OF YOUR RESPONSE OR ANY PAPER YOU FILE WITH THE COURT AT LEAST SEVEN DAYS BEFORE THE HEARING.

IF YOU BELIEVE THE LENDER OR SERVICER OF THIS MORTGAGE HAS VIOLATED THE REQUIREMENTS FOR A SINGLE POINT OF CONTACT IN SECTION 38-38-103.1, COLORADO REVISED STATUTES, OR THE PROHIBITION ON DUAL TRACKING IN SECTION 38-38-103.2, COLORADO REVISED STATUTES, YOU MAY FILE A COMPLAINT WITH THE COLORADO ATTORNEY GENERAL (720-508-6000), THE FEDERAL CONSUMER FINANCIAL PROTECTION BUREAU (855-411-2372), OR BOTH. THE FILING OF A COMPLAINT WILL NOT STOP THE FORECLOSURE PROCESS.

IMPORTANT NOTICE: THE NOTICE AND MOTION IN THIS MATTER ARE BEING FILED SIMULTANEOUSLY WITH THE MAILING OF THIS NOTICE. YOU MAY OBTAIN THE COURT'S CASE/CIVIL ACTION NUMBER BY CONTACTING THE COURT OR OUR OFFICE.

Dated at Boulder, Colorado, June 12, 2026.

BERG HILL GREENLEAF RUSCITTI LLP
Attorneys for BOTANY LLC, Holder

By: /s/ **Peter C. Schaub**
Peter C. Schaub, Atty. Reg. No. 37973

Mailing Address of Applicant:

7836 Anchor Drive
Longmont, CO 80504

*A copy of Rule 120 is attached hereto.