



STATE OF
COLORADO

Michels - DNR, Amber <amber.michels@state.co.us>

Fwd: Ghost River Gravel Pit

Lennberg - DNR, Patrick <patrick.lennberg@state.co.us>

Fri, Mar 31, 2023 at 6:40 AM

To: Amber Michels - DNR <amber.michels@state.co.us>, Jared Ebert - DNR <jared.ebert@state.co.us>

Please see the information below.

Thank you

----- Forwarded message -----

From: **Morgan Wiener** <mwiener@williamsweese.com>

Date: Thu, Mar 30, 2023 at 8:55 PM

Subject: Ghost River Gravel Pit

To: patrick.lennberg@state.co.us <patrick.lennberg@state.co.us>

CC: Kendra Oyen <kendra@oyen-law.com>, Lindsey Schulz <lschulz@williamsweese.com>

Hi Patrick,

I'm following up on our previous discussions about Ghost River Gravel Pit and who has authority to act on behalf of the Estate of James Branch and High Country Repair. When we last spoke, the court was in the process of appointing a new special administrator for the Estate. Kendra Oyen was appointed last month and is the only person with legal authority to act on behalf of the Estate and High Country Repair. Natasha Goldberg no longer has any authority in that regard. I've copied Kendra on this email, and the court's order is attached. While I'm happy to answer any questions you may have, particularly about events prior to Kendra's appointment about which she may not have knowledge, matters relating to High Country Repair and the permit should be directed to Kendra going forward.

Thanks,

Morgan

Morgan Wiener | *Director*

1801 California Street, Suite 3400, Denver, CO 80202

Direct 303.228.2524 **Main** 303.861.2828

Fax 303.861.4017

Email mwiener@williamsweese.com **Website** www.williamsweese.com

Williams Weese
Pepple & Ferguson

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Patrick Lennberg
Environmental Protection Specialist



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

P 303.866.3567 x8114 | F 303.832.8106

Physical Address: [1313 Sherman Street, Room 215, Denver, CO 80203](#)

Address for FedEx, UPS, or hand delivery:

[1001 E 62nd Ave, Denver, CO 80216](#)

Patrick.Lennberg@state.co.us | <https://drms.colorado.gov>



2023-02-14 Order for Formal Appointment of Special Administrator.pdf

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DISTRICT COURT, PUEBLO COUNTY, COLORADO <u>Court Address:</u> 501 N. Elizabeth Street Pueblo, CO 81003 Phone number: (719) 404-8700 <hr/> In the Matter of the Estate of: JAMES DOUGLAS BRANCH a/k/a JAMES D. BRANCH a/k/a JAMES BRANCH Deceased	<div style="text-align: right; color: blue;"> DATE FILED: February 14, 2023 9:02 AM CASE NUMBER: 2021PR30525 </div> <hr/> <div style="text-align: center;"> ▲ COURT USE ONLY ▲ </div> <hr/> Case Number: 2021PR30525 Division: 403 Courtroom:403
ORDER FOR FORMAL APPOINTMENT OF SPECIAL ADMINISTRATOR	

This matter came before the Court for a Status Hearing on February 10, 2023, regarding the parties conferral for the appointment of a Special Administrator. Natasha Goldberg appeared with her counsel Todd Kettelkamp and Linda McMillan. Margaret McClure appeared with her counsel Morgan Wiener. The hearing was conducted via WebEx.

After statements of counsel and review of the Court file,

THE COURT FINDS, DETERMINES, AND ORDERS:

1. The decedent died on September 8, 2021.
2. The decedent was domiciled or resided in the City of Rye, County of Pueblo, State of Colorado.
3. Venue is proper in this county.
4. Any required notices have been given or waived.
5. Appointment of a special administrator is necessary to preserve the estate or to secure its proper administration.
6. During the Status Conference held February 6, 2023, the Court was informed that the parties had agreed to two candidates for the appointment of Special Administrator. The Court continued the matter to February 10, 2023, for the final decision of the parties as to the appointment of a Special Administrator. If the parties could not agree on a special administrator, the Court would select one.
7. The Parties agreed on Special Administrator, Mark Elliott. However, the Court was informed that Mr. Elliott will not accept the appointment as Special Administrator as he does not have the time or staff to complete the requirements to adequately fulfill the duties of the appointment. The Court was further informed that Applicant, Natasha Goldberg, has a judgment against her in Pueblo County District Court Case 2022CV30583.

8. The Court states the following person is qualified to serve and is appointed by the Court as special administrator:

Name: Kendra M. Oyen

Street Address: 503 N. Main Street, Unit 202, Pueblo, CO 81003

Primary Phone: (719) 545-4490 Email Address: kendra@oyen-law.com

9. Bond is waived.
10. The special administrator has the power of a personal representative.
11. The Special Administrator shall make a recommendation to the Court on or before February 17, 2023, on the Personal Representative's proposal to engage an auction house to liquidate High Country Repairs, LLC.
12. The parties shall engage in mediation and file a Status Report as to mediation no later than March 8, 2023.

Date: February 14, 2023



TIMOTHY O'SHEA
DISTRICT COURT JUDGE