

**DISTRICT COURT, LARIMER COUNTY,  
STATE OF COLORADO**

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DATE FILED  
July 9, 2025 5:44 PM  
CASE NUMBER: 2024CV30653

**Plaintiffs:**

KRISTEN MARIE ALBRECHT, an individual,  
MARCIE MCMINIMEE, as the Personal  
Representative of THE ESTATE OF WILLIAM G.  
ALBRECHT, and derivatively on behalf of SPIRIT  
HOSPITALITY, LLC,

v.

**Defendants:**

ALAN BUTTERFIELD, BRYAN SWANSON, AND  
SPIRIT HOSPITALITY, LLC

**Crossclaim Plaintiff, Counterclaim-Plaintiff, and  
Third-Party Plaintiff:**

ALAN BUTTERFIELD

v.

**Crossclaim-Defendants, Counterclaim-Defendants,  
and Third-Party Defendants:**

KRISTEN MARIE ALBRECHT, individually;  
ESTATE OF WILLIAM ALBRECHT, by and  
through KRISTEN MARIE ALBRECHT as the  
former Personal Representative of the Estate of  
William G. Albrecht and MARCIE MCMINIMEE as  
the current Personal Representative of the Estate of  
William G. Albrecht; PA PARTNERS, LLC; SPIRIT  
HOSPITALITY, LLC; THE RECEIVER GROUP  
LLC; RYAN GULICK; WILLCO VII  
DEVELOPMENT, LLLP; and WILLCO XIV  
DEVELOPMENT, LLLP

▲ COURT USE ONLY ▲

Case Number: 2024CV030653

Div.: 4C

**ORDER TO PRESENT AND FILE CLAIMS, AND SETTING BAR DATE**

The Court, upon the verified motion of The Receiver Group, LLC, as Receiver, and being sufficiently advised in the Premises, hereby Orders as follows:

**A. Scope of this Order**

1. This Order is limited to claims brought against Spirit Hospitality, LLC (“Spirit”).
2. This Order further is limited to claims arising prior to the date of the appointment of the Receiver which is November 4, 2024 (“Pre-Appointment Claims”).
3. Any other claims against the Receiver or Spirit shall be brought in this Courtroom including, but not limited to, any claims arising beginning on November 4, 2024 and thereafter (“Post-Appointment Claims”).
4. Failure to file a claim with the Receiver by the bar date may result in the claim not being adjudicated, and the claimant not being compensated, through the process.

**B. Filing of Information**

5. Pre-Appointment Claims shall be filed with the Receiver at the following:  
  
The Receiver Group LLC  
Spirit Claims  
P.O. Box 101343  
Denver Colorado 80250  
(with a copy to [Spiritclaims@thereceivergroup.com](mailto:Spiritclaims@thereceivergroup.com))
6. Claimants provide information identifying the claimant and give the Receiver contact information of the claimant, including the following:
  - a. Complete names of all claimants;
  - b. Addresses of all claimants;
  - c. Telephone numbers of all claimants;
  - d. Email addresses of all claimants.

7. Claimants may file their claims with the Receiver on their own behalf without engaging an attorney. The claimant shall state whether the claimant has engaged an attorney to represent the claimant and, if so, the full identity of, and contact information for, the attorney.

8. Claimants whose claims are unliquidated may estimate their claims, subject to amendment later.

9. The claimant shall specify the interest the claimant claims against Spirit, and attach true and correct copies of the documents and instruments supporting the claim.

10. The claimant shall specify the date the claim arose.

11. The claimant shall state the exact amount, components, and nature of the claim as it existed on November 4, 2024 (the date the Receiver was appointed), which claim remains unpaid today.

12. The claimant shall provide a description of the nature and value of any offset or counterclaim.

13. The claimant shall specify the preference, security, and priority status of the claim.

14. The claimant shall specify whether the claim bears interest, late fees, penalties, or attorneys' fees, and provide all supporting documentation regarding the same.

15. If the claim is supported by a note or similar debt instrument, the claimant shall provide a detailed ledger calculated no less often than monthly demonstrating how the balance under the note or debt instrument was funded, together with evidence of the cash used to fund the note or debt instrument, and the ledger shall disclose all advances made under the note or debt instrument, and all payments made on the note or debt instrument. Upon request by the

Receiver, the claimant shall be required to provide support documentation for every entry on the ledger. The Receiver is authorized to waive this requirement if it is shown to be burdensome.

16. A claimant shall state whether it has commenced any type of action against Spirit including a legal action, administrative action, foreclosure action, or other judicial or quasi-judicial proceeding (an “Action”). If the claimant has commenced an Action, the claimant shall specify the court, agency, or venue, and case number, and specify whether the claimant has received a judgment, order, or other disposition against Spirit.

17. If the claimant has brought an Action against Spirit that has not been reduced to judgment or has not otherwise been subject to final disposition, before filing a claim, the claimant shall dismiss the Action and shall certify that such claim has been dismissed, either with or without prejudice before being allowed to file a claim in this Action. A claimant that persists in pursuing an Action against the Spirit shall have its claim denied and disallowed by this Court, and shall not be allowed to participate in distributions from the Receivership Estate.

18. Claimants shall submit claims to the Receiver, not this Court, substantially in the form attached to the Motion as Exhibit 1.

**C. Bar Date**

19. All Pre-Appointment claims shall be filed with the Receiver within 90 days of the date of this Order (“Bar Date”).

**D. Notice**

20. Notice of this claims process shall be provided to all known and potential claimants. The Receiver shall review Spirit Hospitality’s records and send notice to any possible creditor of the Company.

**E. The Receiver's Report and Recommendation Concerning Pre-Appointment Claims**

20. Within 60 days after the Bar Date, the Receiver shall submit a special report to the Court making a recommendation on approving or disapproving each claim submitted, and recommending whether this Court should allow or disallow each claim. The Receiver's report shall include, among other things, a synopsis of each claim.

21. The Receiver shall assemble and organize all claims in a common sense grouping in order to make the best use of the Court's time. The Receiver shall objectively present a recommendation to the Court on each claim.

22. After such report, any party affected by the Receiver's recommendation may file a response within 21 days of the Report. Any party may reply to a response within 14 days of the response. If necessary, the Court may allow discovery and hold an evidentiary hearing to resolve any disputed claims.

23. Claimants reserve and maintain their rights to appeal any Court determinations per the Colorado Rules of Civil Procedure and the Colorado Rules of Appellate Procedure.

**F. Payment Proposal**

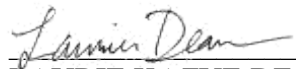
24. Within 35 days following the Court's adjudication of all Pre-Appointment and Post-Appointment Claims, the Receiver shall submit a special report to the Court making a recommendation for paying the Pre-Appointment and Post-Appointment claims the Court has approved. This report shall include both an accounting of available funds and a proposal for payments.

25. After the Receiver makes its Payment Recommendation, any party affected by the Receiver's Recommendation may file a response to it within 21 days of the Payment

Recommendation. Any party may reply to a response within 7 days of the response.

Done this 9 day of July, 2025.

BY THE COURT

A handwritten signature in cursive script, reading "Laurie Kazue Dean", is written over a horizontal line.

LAURIE KAZUE DEAN  
District Court Judge