

EXHIBIT 001

NEUTRAL TIMELINE SUMMARY OF PREDICATE EXPERT-FRAMEWORK ISSUES

This exhibit summarizes the timeline supporting Petitioner's Rule 97 reconsideration motion. It is offered as a narrative summary of record materials authenticated and identified in the Foundation Affidavit (Exhibit 003) and the Custodian Affidavit (Exhibit 004). It is not offered to ask the Court to decide fraud, impose sanctions, or grant C.R.C.P. 60 relief. It is offered only to show why two predicate questions remain central to the appearance analysis under C.R.C.P. 97:

1. What lawful procedural bridge authorized the Six Consulting / Freedberg expert track under the December 9, 2022 Case Management Order and the January 31, 2023 Joint Expert Stipulation; and
2. What order, if any, has adjudicated the identified events under the distinct framework of C.R.C.P. 60(b)'s final paragraph.

Where this exhibit identifies a record item, the source is the Foundation Affidavit (Exhibit 003) unless otherwise indicated.

I. The Joint Expert Framework and the Rebuttal Windows

During the marriage, Co-Petitioner Alyson Bell handled the household and Tool Studios bookkeeping and was a W-2 employee of Tool Studios LLC. Petitioner Charles R. Bell was the sole owner of Tool Studios.

The marital estate, as reflected on the May 17, 2023 Marital Balance Sheet (Exhibit 42A), consisted principally of (a) the marital residence at 7210 Timothy Place, Niwot, valued at \$990,000 with mortgage debt of \$523,018.68 and resulting net equity of \$466,981.32; (b) Tool Studios LLC; (c) modest bank, retirement, and brokerage balances; and (d) NOBO

Inc. stock options carried at \$100,000 but which had no realizable value as of that date because the shares were unvested and the underlying instrument was restricted (Exhibit 003 ¶¶ 8–9; Exhibit 286).

On January 31, 2023, the Court entered the Joint Expert Stipulation (Filing ID D9F074CCD0FFD; Exhibit 01). The Stipulation appointed Jeremy C. Harkness, CPA of Causey Demgen & Moore P.C. as the parties' sole joint business valuation expert for Tool Studios LLC. Paragraph 3 prohibited ex parte communications between the joint experts, the attorneys, and the parties prior to the issuance of final reports. Paragraph 4 required that any retention of additional experts be presented to counsel for a joint decision, with disputes resolved by the Court. Paragraph 7 limited marital-funds payment to fees required or incurred by the joint experts (Exhibit 003 ¶ 6).

Mr. Harkness issued his Income Analysis report letter on March 28, 2023 (Exhibit 23/NN), and the Tool Studios Valuation Engagement and Conclusion of Value on May 4, 2023 (Exhibit 22/GG). The May 4, 2023 valuation report concluded that capitalizable excess earnings were \$0 and that the going concern value of the Company was \$15,000 over the value of the tangible assets (Exhibit 003 ¶ 11). Updated schedules issued April 30, 2023 (Exhibit 24/HH) reflected a downward trend in valuation (Exhibit 003 ¶ 12).

Under C.R.C.P. 16.2(g)(5), the rebuttal windows for each report ran from the date of report issuance. No motion was filed during either window seeking leave to expand the expert framework established by the Joint Expert Stipulation.

II. Pre-Disclosure Activity Reflected in Exhibit III-UR

The unredacted Glassman, P.C. master billing record (Exhibit III-UR), authenticated by the Custodian Affidavit (Exhibit 004 / Exhibit 124), reflects three Six Consulting LLC cost-line disbursements predating any Witness Disclosure: February 27, 2023 (\$583.50); March 27, 2023 (\$459.00); and April 27, 2023 (\$1,728.00) (Exhibit 003 ¶ 19). On the redacted Exhibit

III filed at trial on August 21, 2023, these three cost-line entries appear with the description redacted but the dollar amounts visible.

Petitioner has not located any order entered by any forum that, on its face, finds (a) that the Six Consulting LLC engagement was presented to counsel for a joint decision under Paragraph 4 of the Joint Expert Stipulation prior to February 27, 2023, or (b) that the use of marital funds to pay Six Consulting LLC complied with Paragraph 7 of the Stipulation (Exhibit 003 ¶ 20).

On April 27, 2023, John W. Gaddis, then counsel of record for Petitioner, sent the email later authenticated as Exhibit 70, with the operative language: "It would be incorrect to state that the funds are all funds that are available to the Company. . . . Until that is taken into account, I oppose any new updates to the valuation. I do oppose Mr. Harkness opining on my client's income." (Exhibit 003 ¶¶ 14–16). Exhibit 70 was authenticated by Affidavit of Custodian of Business Records executed by Mr. Gaddis on March 16, 2026, under C.R.E. 803(6) and 902(11).

III. The June 16 and July 17, 2023 Witness Disclosures

On June 16, 2023 at 5:00 PM, Co-Petitioner filed Co-Petitioner's Witness Disclosures for Permanent Orders under C.R.C.P. 16.2(e)(3) (Filing ID 12E14E22975AD). That filing listed Mr. Freedberg as "Petitioner's retained expert." On July 17, 2023 at 4:30 PM, Co-Petitioner filed Co-Petitioner's Rebuttal Witness Disclosure under C.R.C.P. 16.2(g)(5) (Filing ID 5E574FCC1A11C), naming Mr. Freedberg as "Co-Petitioner's retained expert" (Exhibit 003 ¶ 23). The two filings are different documents, filed under different rules, thirty-one days apart, with different titles, scope, methodology specifications, and report-status descriptions.

Exhibit III-UR reflects Glassman, P.C. attorney time on June 15, 2023 for "Telephone conference with Jay Freedberg; Revise Witness Disclosures," one day before the June 16

filing (Exhibit 003 ¶ 25). On the redacted Exhibit III filed at trial, the description field for the June 15, 2023 entry is redacted.

In the February 4, 2026 response submitted by Adam B. Wiens of Lewis Brisbois Bisgaard & Smith LLP to the Colorado Board of Accountancy in Complaints #2025-10459 and #2025-10460 (Exhibit 14), counsel for Mr. Freedberg characterized the June 16, 2023 attribution as "a typographical mistake" later "corrected in the Rebuttal Witness Disclosure on July 17, 2023" (Exhibit 003 ¶ 26). The Wiens letter does not address the substantive differences between the June 16 and July 17 filings beyond the attribution change, and does not address the June 15, 2023 telephone conference with Mr. Freedberg or the contemporaneous revisions to the Witness Disclosures reflected in Exhibit III-UR. A formal hearing before the Colorado Board of Accountancy is set for June 17, 2026.

IV. Source of Payment and the Marital-Funds Question

On July 14, 2023 at 9:19 PM, Carol Glassman emailed Kathryn J. Goff, then counsel of record for Petitioner, with the operative language: "The money in Tool Studios is the only source of money to pay their bills. This has been the status quo throughout the marriage." (Exhibit 003 ¶¶ 29–30; Exhibit 07).

The Marital Balance Sheet (Exhibit 42A), adjusted for the NOBO realizable value of zero, reflects a total marital asset figure of \$843,853.15, with no liquid marital cash source other than Tool Studios LLC operating revenue sufficient to pay the \$92,396.86 fee-and-cost figure later reflected in Exhibit III (Exhibit 003 ¶¶ 9–10).

At the October 7, 2025 remand hearing, expert witness Lee Strickler testified that the fees were paid from marital funds (Exhibit CCC at 43:22–25), and the Court later adopted the same framing in its own words (Exhibit CCC at 49:21–25 through 50:10) (Exhibit 003 ¶ 50).

Tool Studios LLC, characterized in those proceedings as the source of marital funds, is wholly owned by Petitioner (Exhibit 003 ¶ 54).

V. Petitioner's Deposition Testimony and the Court's Trial Directives

On July 6, 2023, Petitioner was deposed in this matter. The deposition was conducted by Nelissa Milfeld, with Carol Glassman entering and leaving the room during the proceeding. The verbatim exchange at Exhibit QQQ page 21 reflects Petitioner's answers that he had not retained a rebuttal valuator and had not considered doing so (Exhibit 003 ¶ 27).

Petitioner did not retain Six Consulting LLC, did not retain Mr. Freedberg, and did not approve the use of any marital funds to pay Six Consulting LLC. The February 4, 2026 Wiens letter at page 5 confirms: "Charles Bell was never a client of Mr. Freedberg, Mr. Bell was not a client of Six Consulting LLC, nor a client of Freedberg Ltd." (Exhibit 003 ¶ 28).

At the commencement of the Permanent Orders Hearing on August 23, 2023, the Court directed the parties that exhibits not referenced in testimony or argument would not be considered substantive (Exhibit AA at 9:3–13; 10:25–11:2) (Exhibit 003 ¶ 34). Prior to Mr. Freedberg's testimony, the Court and Ms. Glassman had the on-record exchange at Exhibit AA page 43, lines 5–12, in which Ms. Glassman confirmed direct examination with "no report serving as the necessary basis for anything up to now" (Exhibit 003 ¶¶ 35–37). Notwithstanding that on-record framing, the trial court's subsequent Permanent Orders adopted Mr. Freedberg's reports (Exhibits JJ and OO) for the Tool Studios valuation of \$305,000 and Petitioner's monthly income of \$16,433.

VI. Exhibit III and Exhibit RR

The Joint Trial Management Certificate filed August 14, 2023 at 2:24 PM (Filing ID 33A962B0C5F50) stated that each party's Exhibit Lists would be filed contemporaneously. The Exhibit III document itself was not filed until August 21, 2023 at 10:40 AM (Filing ID FED53E8356F6C), forty-six hours and twenty minutes before commencement of the

Permanent Orders Hearing. Exhibit III represented \$79,750.25 in attorney fees and \$12,646.61 in costs from November 29, 2022 through July 31, 2023 (Exhibit 003 ¶ 38).

Exhibit III was referenced exactly once during the Permanent Orders Hearing, in the four-line testimony exchange at Exhibit AAA Vol. II page 206 (Exhibit 003 ¶ 39). No foundation, argument, or further reference to Exhibit III appears in the trial transcript.

On August 22, 2023 at 2:39 PM (Filing ID F4C02B05AF4FA), Glassman, P.C. filed Exhibit RR, a Maintenance Worksheet captioned "Bell 5 year weighted average," generated by math4law. Exhibit RR uses a Father annual income input of \$197,196 (Exhibit 003 ¶ 41). That figure corresponds to the five-year weighted average advanced by Six Consulting LLC in Exhibit OO at page 2.

VII. The Appellate Posture and the Post-April 7, 2025 Record

The Colorado Court of Appeals issued its Opinion in 24CA0141 on May 1, 2025 (Exhibit 31), affirming in part, reversing in part, and remanding. The Opinion reversed the \$15,000 attorney-fee award for inadequate findings (Exhibit 003 ¶¶ 43–44).

On October 2, 2025, the Honorable J. Keith Collins entered an Order denying Petitioner's April 7, 2025 Motion for Relief from Judgment. The Order framed the motion as ripe following resolution of the appeal. Evidence obtained after April 7, 2025 including the February 4, 2026 Wiens letter (Exhibit 14), the March 16, 2026 Gaddis custodian affidavit (Exhibit 70), and the April 30, 2026 Bell custodian affidavit authenticating Exhibit III-UR (Exhibit 124) was not part of the April 7, 2025 motion (Exhibit 003 ¶ 45 and ¶ 57).

The October 2, 2025 and November 13, 2025 orders are presently on appeal in 2025CA2070. Petitioner does not ask this Court to evaluate their substantive correctness; the orders are identified only as part of the procedural sequence relevant to the appearance analysis.

VIII. The Cross-Forum Procedural Sequence and the Civil-Case Consequences

A. The Civil-Division Direction Back to This Court

In *Bell v. Varvel*, 2025CV118, the Honorable Michael Kotlarczyk entered the Order Granting Motion to Dismiss on November 18, 2025, with the operative ruling that a Rule 60(b) motion to address allegations of deceiving the tribunal must be brought to the tribunal whose judgment is being challenged, not as a standalone claim in a new lawsuit (Exhibit 003 ¶¶ 46–47). Judge Kotlarczyk reaffirmed that rule on January 22, 2026, and applied it again on March 11, 2026, in *Bell v. Freedberg*, 2025CV80 (Exhibit 003 ¶ 48). The civil-division orders directed the issues back to the domestic case, which was then assigned to Domestic Division 14 (Exhibit 003 ¶ 49).

B. The Civil-Case Immunity Ruling and Its Factual Predicate

Separately, on August 11, 2025, Judge Kotlarczyk entered the Order Granting Defendants' Motions to Dismiss in 2025CV80, dismissing Petitioner's civil claims against Mr. Freedberg and Ms. Glassman on the basis of absolute witness immunity and absolute litigation privilege (Exhibit 003 ¶ 60). The dismissal relied on the factual premise advanced by Defendants that Mr. Freedberg "was and still remains a duly authorized expert witness, disclosed pursuant to C.R.C.P. 26(a)(2), and stipulated as an expert witness in the underlying dissolution matter," and that his rebuttal report "underwent judicial scrutiny in the underlying dissolution of marriage case."

That same factual premise is the proposition that the post-April 7, 2025 record materials place at issue. Exhibit III-UR reflects Six Consulting / Freedberg cost-line activity predating any Witness Disclosure (Exhibit 003 ¶ 19). The February 4, 2026 Wiens DORA response, submitted by the same counsel that has represented Mr. Freedberg in 2025CV80, characterizes the June 16, 2023 disclosure attribution as "a typographical

mistake" (Exhibit 003 ¶¶ 26, 67). The August 23, 2023 trial transcript reflects Ms. Glassman's on-record confirmation that Mr. Freedberg was to be examined "[w]ith no report serving as the necessary basis for anything up to now" (Exhibit AA at 43:5–12) (Exhibit 003 ¶¶ 35–37).

C. The June 4, 2025 Fee Affidavit and the May–June 2025 Billing Period

On June 4, 2025, three days before the June 11, 2025 modification hearing in this case, Ms. Glassman and Ms. Milfeld filed a sworn affidavit for attorney fees and costs covering the period September 22, 2024 through May 25, 2025 (Exhibit 003 ¶ 61). The affidavit, on its face, claims \$53,268 in attorney fees, \$2,262 in costs, and \$4,371 in costs for Mr. Freedberg's services, for a total of \$59,901. The affidavit, on its face, does not contain any entries reflecting Mr. Freedberg-related activity after April 16, 2025.

At the June 11, 2025 modification hearing, Mr. Freedberg appeared after being subpoenaed. Mr. Freedberg was not called, was not sworn, was not qualified as an expert, and was not subject to cross-examination at the hearing (Exhibit 003 ¶ 62).

In subsequent fee proceedings in 2025CV80, Petitioner requested production of the complete billing records for Mr. Freedberg's defense for the May 2025 and June 2025 billing period. To Petitioner's knowledge, the unredacted narrative billing entries for May 2025 and June 2025 have not been produced (Exhibit 003 ¶ 63).

D. The Fee Judgments in 2025CV80

On October 27, 2025, Judge Kotlarczyk entered the Order Granting Motions for Attorney Fees in 2025CV80, awarding \$4,208.50 in attorney fees and \$84 in costs to Mr. Freedberg, and \$12,034 in attorney fees and \$115.64 in costs to Ms. Glassman (Exhibit 003 ¶ 64). On March 27, 2026, Judge Kotlarczyk entered Judgment under C.R.C.P. 58 in those amounts (Exhibit 003 ¶ 65). On May 11, 2026, Petitioner filed a Notice of Appeal in 2025CV80

identifying the August 11, 2025 Order of Dismissal, the October 27, 2025 Fee Order, and the March 27, 2026 Entry of Judgment as the orders appealed from (Exhibit 003 ¶ 66).

E. The Combined Effect

The combined effect of the civil-division directive returning the Rule 60 issues to this Court, the civil immunity ruling resting on a factual premise that the post-April 7, 2025 record materials identified in Sections II, III, and V above place at issue, the regulatory characterization of the same underlying disclosure event as "a typographical mistake" by the same counsel, the absence of produced narrative billing entries for the May 2025 and June 2025 period overlapping the June 11, 2025 hearing, and the resulting fee judgments entered in 2025CV80, is the appearance question identified in the cover motion.

To Petitioner's knowledge, no court has yet adjudicated the events identified in this Section under the distinct framework of the final paragraph of C.R.C.P. 60(b) (Exhibit 003 ¶ 68). The orders identified in this Section are presently on appeal in 2025CA2070 and 2025CV80. Petitioner does not ask this Court to evaluate their substantive correctness. The orders are identified only as part of the procedural and factual record relevant to the appearance analysis.

IX. Counsel's Withdrawal in the Dissolution Case

On March 25, 2026 at 9:03 PM (Filing ID DB173CD6143F4), Carol Glassman, Carol Glassman, P.C., and Nelissa Milfeld, Milfeld Law LLC, filed a Motion to Withdraw as Counsel under C.R.C.P. 121 § 1-1(2)(b) (Exhibit 003 ¶ 55). On April 13, 2026, in 2025CV118, Defendants Carol Glassman and Jay Freedberg jointly filed a Motion for Entry of Court Order Relieving Defendants from Responding to Plaintiff's Filings. On April 17, 2026 at 10:36 AM, this Court entered an Order granting Glassman and Milfeld leave to withdraw in the dissolution case (Exhibit 003 ¶ 56).

X. Purpose of This Summary

This timeline is offered to assist the Court in evaluating the two predicate questions identified in the cover motion. It does not ask the Court to decide whether the events described constitute fraud upon the tribunal, to grant relief under C.R.C.P. 60(b), or to impose sanctions. Those questions are reserved for the appropriate procedural vehicle and forum.

The narrower point is that the record contains identifiable events pre-disclosure Six Consulting cost entries, the June 15, 2023 telephone conference, the two distinct witness disclosures, the day-before-trial Exhibit III and Exhibit RR filings, the on-record "no report" exchange, the post-April 7, 2025 record materials, the cross-forum procedural sequence, the civil immunity ruling resting on a factual premise placed at issue by those record materials, the unproduced May–June 2025 billing period overlapping the June 11, 2025 hearing, and the resulting fee judgments that, taken together, present the two predicate questions: whether a lawful procedural bridge authorized the second expert track, and whether any forum has yet adjudicated those events under the distinct framework of C.R.C.P. 60(b)'s final paragraph.

DECLARATION

I, Charles R. Bell, declare under penalty of perjury under the laws of the State of Colorado that the foregoing summary accurately describes record items identified and authenticated in the Foundation Affidavit (Exhibit 003) and the Custodian Affidavit (Exhibit 004), to the best of my personal knowledge.

Executed this 14 day of May, 2026.

Respectfully submitted,

/s/ Charles R. Bell