

INDEX OF ATTACHED EXHIBITS:

- **Exhibit 12:** ALPS Insurance Billing Ledger (William Dewey coordination records)
- **Exhibit 13 & 14:** DORA Responses (Admitting "Typographical Mistake" and denying file access)
- **Exhibit 16:** Verified Forensic Report Regarding the Subversion of the January 31, 2023 Joint Expert Stipulation (Sworn under penalty of perjury)
- **Exhibit 35:** June 20, 2025 Email from Ryan Dunn ("We have never spoken")
- **Exhibit 43 & 46:** April 19-23, 2025 Emails regarding Request for Authentication
- **Exhibit 44:** June 19, 2025 Email from Ryan Dunn regarding e-service
- **Exhibit 47:** April 8, 2025 Email from Adam Wiens ("We understand the facts")
- **Exhibit 67:** February 26, 2026 Email from Wiens refusing to produce ledgers
- **Exhibit 70:** Sworn C.R.E. 902(11) Affidavit of Attorney John W. Gaddis (Confirming April 27, 2023 email opposing new income opinions and refuting opposing counsel's trial representations)
- **Exhibit 83 & 85:** Selectively Submitted Billing Records (May/June omissions)
- **Exhibit 87 & 113:** Motion to Dismiss (Civil Court - Claiming "Expert Immunity")
- **Exhibit 88:** October 27, 2025 Fee Order
- **Exhibit AA:** August 23, 2023 Trial Transcript (Ruling Mr. Freedberg had "no report" and was a "regular witness")
- **Exhibit III-UR:** Unredacted Domestic Billing Ledger (Proving June 15, 2023 expert coordination and February 14, 2023 Dropbox file transfer)

<p>DISTRICT COURT BOULDER COUNTY, COLORADO 20th Judicial District Court Boulder County Justice Center 1777 Sixth Street, P.O. Box 4249 Boulder, Colorado 80306 303-441-3750</p>	<p>DATE FILED January 31, 2023 9:37 AM FILING ID: D9F074CCD0FFD CASE NUMBER: 2022DR30458</p>
<p>In re the Marriage of: Petitioner: CHARLES BELL and Co-Petitioner: ALYSON BELL</p>	<p>COURT USE ONLY</p>
<p><i>Attorney for Petitioner:</i> Erin C. Pierce Lyons Gaddis, PC P.O. Box 978 Longmont, CO 80502 Telephone: 303-776-9900 E-Mail: epierce@lyonsgaddis.com Attorney Registration No. 52525</p> <p><i>Attorneys for Co-Petitioner:</i> Carol Glassman Carol Glassman, P.C. 1790 38th Street, Suite 300 Boulder, Colorado 80301 Telephone: 303-442-1403 E-Mail: carol@carolglassman.com Attorney Registration No. 11321</p> <p>Nelissa Milfeld Milfeld Law LLC 1650 38th Street, Suite 302E Boulder, CO 80301 Telephone: 303-990-1953 Email: milfeldlaw@gmail.com Attorney Registration No. 40753</p>	<p>Case Number: 2022DR30458 Division: 12</p>
<p>JOINT EXPERT STIPULATION</p>	

COME NOW Petitioner, Charles Bell, by and through his attorney, Erin C. Pierce, Lyons

Gaddis, P.C., and Co-Petitioner, Alyson Bell, by and through her attorneys Carol Glassman, Carol Glassman, P.C. and Nelissa Milfeld, Milfeld Law LLC, and hereby submit a Joint Expert Stipulation which reflects their agreement to retain the following joint experts to be engaged as follows:

1. Glenn Fleckenstein, Hammond Appraisals, 1890 Birch Street, Broomfield, CO 80020. 303-439-7447; glenn@hammondappraisals.com, as their joint expert to perform real estate appraisal and render an opinion of value for the property located at 7210 Timothy Place, Niwot, CO. This expert's C.V. and a list of his Expert Witness Testimony Experience are attached as Exhibit 1. Mr. Fleckenstein's appraisal will be provided to both counsel upon completion but no later than June 26, 2023.

To the extent that either party wishes to communicate with the appraiser about substantive issues relative to the property, communication should be by email with both parties and counsel copied in on the communication. Any substantive correspondence from a party or a representative of a party to an expert shall be forwarded to the other attorney upon receipt of the correspondence by that party's attorney or the expert.

2. Jeremy C. Harkness, CPA of Causey Demgen & Moore, 1099 Eighteenth Street, Suite 2300, Denver, CO 80202. (303) 296-2229 as their joint expert to perform a preliminary business evaluation for Tool Studios LLC to determine whether a full evaluation is indicated. After reviewing five years of business tax returns on January 25, 2022, Mr. Harkness advised counsel that a full business evaluation is indicated. The parties will retain Mr. Harkness to value the company. Mr. Harkness shall provide counsel with a draft report and solicit comments from both counsel before issuing final reports. Those comments will be provided to the expert in

written form, and copies of the comments shall be provided to opposing counsel. The parties shall attempt to resolve problems and/or deficiencies in the experts' reports during the "comment period" and prior to requesting third party experts to prepare rebuttal reports. Qualifications of this expert witness, including a list of all publications authored by the witness in the preceding ten years and any other cases in which the witness has testified as an expert in trial or by deposition within the last four years are attached as Exhibit 2. Mr. Harkness' report will be provided to both counsel upon completion but no later than June 26, 2023.

3. Prior to the issuance of the final reports, there shall be no *ex-parte* communications, including telephone communications, between the joint experts, the attorneys or the parties other than routine administrative or non-substantive communications. Prior to the issuance of the final reports, each attorney shall be copied on all correspondence to or from an expert and a party or his or her attorney.

4. In the event the expert determines they need to retain additional experts to assist with their engagements, the request shall be presented to counsel for a joint decision. Any disputes shall be resolved by the Court.

5. The experts shall inform both parties' counsel of items or documents they require to complete their report, which documents shall be provided as soon as practicable to the expert and the other lawyer. Any document provided by a party to an expert shall be forwarded to the other attorney so that both attorneys have a complete copy of all documents provided to the expert.

6. The parties have a duty to cooperate with and supply documents and other information requested by the experts.

7. Any retainer and/or fees required or incurred by their joint experts shall be paid from marital funds. Final allocation of expert fees is reserved for Permanent Orders or settlement.

<i>Charles Bell</i>	Jan 27, 2023	 Alyson Bell (Jan 27, 2023 16:43 MST)	Jan 27, 2023
_____ Charles Bell	_____ Date	_____ Allison Bell	_____ Date

LYONS GADDIS, P.C.

CAROL GLASSMAN, P.C.

/s/ Erin Pierce
Erin Pierce, No. 52525

/s/ Carol Glassman
Carol Glassman, No. 11321

Joint Expert Stipulation - FINAL

Final Audit Report

2023-01-27

Created:	2023-01-26
By:	Carol Glassman (carol@carolglassman.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAYMDkmC-zy_ybghuNc8VbaFvw9E8hz02S

"Joint Expert Stipulation - FINAL" History

-  Document created by Carol Glassman (carol@carolglassman.com)
2023-01-26 - 10:27:34 PM GMT- IP address: 50.253.127.154
-  Document emailed to Tool Studios (cbell@toolstudios.com) for signature
2023-01-26 - 10:28:46 PM GMT
-  Email viewed by Tool Studios (cbell@toolstudios.com)
2023-01-27 - 1:50:50 AM GMT- IP address: 24.9.104.137
-  Document e-signed by Tool Studios (cbell@toolstudios.com)
Signature Date: 2023-01-27 - 11:35:24 PM GMT - Time Source: server- IP address: 24.9.104.137
-  Document emailed to alysonvarvelbell@gmail.com for signature
2023-01-27 - 11:35:25 PM GMT
-  Email viewed by alysonvarvelbell@gmail.com
2023-01-27 - 11:41:57 PM GMT- IP address: 67.190.87.89
-  Signer alysonvarvelbell@gmail.com entered name at signing as Alyson Bell
2023-01-27 - 11:43:35 PM GMT- IP address: 67.190.87.89
-  Document e-signed by Alyson Bell (alysonvarvelbell@gmail.com)
Signature Date: 2023-01-27 - 11:43:37 PM GMT - Time Source: server- IP address: 67.190.87.89
-  Agreement completed.
2023-01-27 - 11:43:37 PM GMT

SO ORDERED BY COURT
01/31/2023

DISTRICT COURT BOULDER COUNTY, COLORADO 20th Judicial District Court Boulder County Justice Center 1777 Sixth Street, P.O. Box 4249 Boulder, Colorado 80306 303-441-3750	DATE FILED January 31, 2023 2:59 PM CASE NUMBER: 2022DR30458 THOMAS FRANCIS MULVAHILL District Court Judge
In re the Marriage of: Petitioner: CHARLES BELL and Co-Petitioner: ALYSON BELL	COURT USE ONLY
	Case Number: 2022DR30458 Division: 12
ORDER REGARDING JOINT EXPERT STIPULATION	

THIS MATTER comes before the Court on the parties' Joint Expert Stipulation and the Court, having reviewed the Stipulation and all other matters of records, does hereby adopt the Stipulation and makes the same an Order of the Court.

DATED this _____ day of _____, 2023.

BY THE COURT:

District Court Judge

DISTRICT COURT, BOULDER COUNTY, COLORADO Court Address: Boulder County Justice Center. 1777 6th Street, Boulder, CO Mail Address: P.O. Box 4249, Boulder, CO 80306 Phone: 303-441-3750		DATE FILED: December 9, 2022 8:05 AM CASE NUMBER: 2022DR30458
<hr/> Petitioner: CHARLES BELL and Co-Petitioner: ALYSON BELL <hr/> Attorney for Petitioner: Staphanie Fournier #50029 Attorney for Co-Petitioner: Pro Se		<hr/> ▲ COURT USE ONLY ▲ <hr/> Case Number: 22DR30458 Division: 12 Courtroom: L
DOMESTIC RELATIONS CASE MANAGEMENT ORDER		

The following court procedures which apply to your case are described in Rule 16.2 of the Colorado Rules of Civil Procedure. You can obtain a copy of this rule at many public libraries and online at <http://www.lexisnexis.com/hotttopics/colorado/>.

INTERPRETERS

If you require a language interpreter, you must inform the court prior to your first court appearance or the next hearing to ensure that an interpreter is present at the Initial Status Conference and at all future Court appearances. A court approved interpreter will be scheduled to assist you at no charge. You must inform the Division 12 Judicial Assistant at 720.664.1629 or the Court interpreter's office at 303-441-3750 at least five (5) days prior to the date of your Initial Status Conference. Per Chief Justice Directive 06-03, interpreters must be on the roster of Colorado Judicial Department Authorized Interpreters to provide interpreter services for the Courts.

INTÉRPRETES

Si necesita un intérprete debe hacérselo saber al tribunal antes de su primera comparecencia ante el tribunal o antes de su próxima audiencia para asegurarse de que un intérprete esté presente en su reunión inicial de la causa, así como en todas las comparecencias futuras ante el tribunal. Se le programará un intérprete aprobado por el tribunal para que le asista sin costo alguno. Deberá llamar a la asistente del juez de la División 12 al teléfono 720.664.1629, o al teléfono principal del tribunal al 303-441-3750 por lo menos cinco (5) días antes de su reunión inicial. Según la directiva 06-03 del Juez Presidente, los intérpretes deben figurar en la lista de

intérpretes autorizados por el Departamento Judicial de Colorado a fin de poder proveer servicios de interpretación en los tribunales.

CONTACT INFORMATION

To receive Court mailings at their current address, parties must notify the Court of any change in mailing address by filing a completed JDF 1312 Notice of Change Regarding Contact Information. Form JDF 1312 is available on the Colorado Judicial Branch website www.courts.state.co.us under the Self Help/Forms tab or at the Court Resource Center.

INFORMACIÓN DE CONTACTO

A fin de que las partes puedan recibir la correspondencia que el tribunal les envíe por correo postal, las mismas deben notificar al tribunal cualquier cambio en su dirección postal. Para hacerlo, deben completar y presentar el formulario judicial JDF 1312 “Notice of Change Regarding Contact Information” (Notificación de cambios en la información de contacto). Este formulario se encuentra disponible en el sitio web de la Rama Judicial de Colorado en www.courts.state.co.us bajo la pestaña de “Self Help/Forms” (Autoservicio/Formularios) o en el Centro de Recursos Judiciales del tribunal.

MANDATORY INITIAL STATUS CONFERENCE (ISC)

1. The ISC must take place within 42 days of filing the Petition. The Court is mailing a copy of this order to both parties or if represented, to the parties’ counsel.

Please contact Dan Kiemele at dan.kiemele@judicial.state.co.us to schedule an ISC within seven (7) days of this Order. The Court’s current docket is open to hear ISCs on the following dates/times:

Monday, December 19th at 9:30AM
Friday, December 23rd at 10AM AND 10:30AM
Friday, December 30th at 9AM, 9:30AM, AND 10AM
Monday, January 9th at 10:30AM
Friday, January 13th at 9AM, 9:30AM, 10AM, AND 10:30AM
Friday, January 20th at 10AM AND 1:30PM
Monday, January 23rd at 9:30AM, 10AM, AND 10:30AM
Friday, February 3rd at 9AM, 9:30AM, 10AM, AND 10:30AM
Monday, February 6th at 9:30AM, 10AM, AND 10:30AM

*****Please be advised, Spanish interpreters are ONLY available for ISC settings on Mondays.*****

*****Counsel must coordinate setting with opposing counsel or self-represented parties.*****

IF CONFIRMATION OF AN ISC DATE IS NOT RECEIVED BY THE COURT WITHIN 14 DAYS, THE COURT WILL ISSUE A SETTING NOTICE SELECTING THE FIRST AVAILABLE DATE LISTED ABOVE.

2. The Petitioner must file the return of service or waiver of service prior to the conference. If service has not been completed prior to the ISC, a self-represented Petitioner or Petitioner's counsel shall contact the division to vacate and reset the ISC.
 3. At the ISC the parties must be prepared to discuss any disclosures that need to be provided, what experts are needed and the efforts the parties/counsel have made to agree to those experts, whether a temporary parenting or financial hearing is needed and what efforts the parties/counsel have made to meet and confer regarding temporary matters, any special issues that exist, and a timeline for completion of the case. A party can request that the ISC be on the record.
 4. **The mandatory ISC will only be vacated if:**
 - a. **Neither party is represented by counsel:** If all forms are completed and filed with the court at least 7 days prior to your ISC, including your jointly signed forms, you may contact the Family Court Facilitator at 303-441-3739 to request to vacate your ISC. Please leave your name and case number with your message requesting to vacate. You must plan on attending the ISC, unless you receive confirmation from the Family Court Facilitator that the ISC is vacated.
 - b. **Both of you are represented by counsel:**
 - You have filed a joint Stipulated Case Management Plan that addresses the timeline for the parties requesting and agreeing on experts, including CFIs and PREs, and both parties have filed a Certificate of Compliance with Mandatory Financial Disclosures (JDF 1104) **at least seven (7) days prior to the ISC.**
- OR**
- You agree on all aspects of the case and have filed with the Court all of the required documents with the required signatures **at least seven (7) days prior to the ISC.**

PROCEDURES FOR ALL CASES

Motions

5. The only motions that may be filed without permission from the Court are listed in Rule 16.2(c)(4)(A). All other motions may only be filed after obtaining permission from the Court. Requests to file motions, requests for temporary orders, or notifying the court of

an emergency matter must be done at a status conference or telephone conference. For further instructions on setting a telephone conference, please see the procedure below.

6. Requests to file a motion may only be made after the moving party (if self-represented) or counsel (if represented by counsel) has conferred with opposing counsel or the self-represented party.

Disclosure

7. Both parties are ordered to comply with the disclosure provisions of Rule 16.2(c). Each party must file their original Sworn Financial Statement (JDF 1111) and (if applicable) Supplemental Schedule (JDF 1111SS), and Certificate of Compliance with Mandatory Financial Disclosures (JDF 1104) with the court and provide the other party with a copy of these forms along with the mandatory disclosures. Do not file the disclosures themselves with the court. Form 35.1 (JDF 1125), provides information regarding the mandatory disclosures. These forms are available for purchase from the Clerk of Court's office or can be found on-line at http://www.courts.state.co.us/Forms/Forms_List.cfm?Form_Type_ID=108.
8. The Sworn Financial Statement (JDF 1111) and (if applicable) Supplemental Schedule (JDF 1111SS), Certificate of Compliance (JDF 1104) and mandatory disclosures set forth in paragraph 4 *should* be complete by the time of the ISC if at all possible, and *must* be completed and filed within 42 days of when the co-petition was filed or when the respondent was served or signed a waiver of service.

Discovery

9. Both parties may conduct discovery as described in Rule 16.2(f). Both parties may use experts as described in Rule 16.2(g). Any issues about discovery or experts should be discussed at a status conference or in a phone conference with the judge. For further instructions on setting a Telephone Conference, please see telephone conference procedure section. Discovery must be concluded 28 days before the hearing. Rule 16.2(f)(5).

REQUIRED PARENTING CLASS

10. All parties with children less than 18 years of age must attend and complete a parenting education class within **63 days of filing the Co-Petition or the date of service or waiver of service**. Only the three providers listed on the attached co-parenting class chart are approved to present the required Parenting Seminar. No other providers will satisfy the requirement for a parenting seminar unless you obtain specific authorization at the ISC.

DOMESTIC VIOLENCE

11. If your case involves domestic violence you are strongly encouraged to obtain an assessment, counseling, or other available services for your family. If you are on a limited income, or cannot afford such services, then financial assistance may be available to cover some or all of the costs. Attached to this Order is a list of services and potential financial resources.

TELEPHONE CONFERENCE PROCEDURE

12. Parties and counsel are encouraged to utilize cost and time effective methods of resolving all disputes and disagreements before filing motions with the court. The telephone conference is not intended to be a substitute for motions practice. Rather, it can be utilized for modest issues that may be amenable for prompt resolution.

PRIOR to requesting a telephone conference with the judge, counsel must comply with the following procedures:

- a) Telephone conferences should be on the record. The Court will enter a brief summary of the conference in the case file. Counsel shall advise their clients accordingly.
- b) Parties may only request a telephone conference with the judge when both litigants are represented by counsel or, in the judge's discretion, where one party is represented by counsel and the other is self-represented, except for routine scheduling issues. Represented parties may call in to the conference, but they are not required to. If they elect to participate, they are not permitted to speak. Counsel should notify opposing counsel in advance if their client will be present for the telephone conference.
- c) Prior to counsel requesting a telephone conference they must have a meaningful, real time, conferral on the issue(s). The Court requires synchronous telephone or face-to-face conferral, not email or voice mail exchanges.
- d) Counsel shall email a request for a telephone conference by identifying the issue(s) proposed for discussion via a brief email to the Court Judicial Assistant. All emails must comply with Administrative Order 10-101 and must be copied to the opposing party. The request is NOT an argumentative or detailed brief; it is only intended give notice of the issues for discussion. No responsive e-mail is necessary.
- e) If the Court approves the request, within 14 days counsel must schedule a phone conference by contacting the Division 12 Court Judicial Assistant, Dan Kiemele at dan.kiemele@judicial.state.co.us. If counsel does not contact Division 12 within 14 days of the request, the request will expire. ONLY those issues raised in the request will be topic(s) for the telephone conference.

PERMANENT ORDERS HEARINGS

Mediation

13. You and the other party must participate in mediation together before the court will hear contested permanent orders. You must file a Certificate of Mediation/ADR Compliance (JDF 1337) **at least 21 days prior to a contested permanent orders hearing**, unless

you have been exempted from the mediation requirement by the Court. If you fail to timely file a Certificate of Mediation/ADR Compliance, your hearing will be vacated and/or a Show Cause Order may issue. You and the other party may mediate with any mediator of your choosing. Three resources for mediators are:

- a. Boulder Bar Association (303-440-4758)
http://www.boulder-bar.org/mediators_arbitrators.htm
- b. State of Colorado Office of Dispute Resolution (720-625-5940)
www.ColoradoODR.org
- c. Boulder Interdisciplinary Committee (720-593-8992)
<https://www.thebidc.org/members-directory/>

Expert Witnesses

14. Expert reports must be provided to the parties 56 days before the hearing. Rebuttal reports must be provided 21 days thereafter. Rule 16.2(g)(5).

Trial Management Certificates

15. **If neither party is represented by counsel:** At least 7 days prior to the hearing, each party must file with the Court a brief statement identifying the disputed issues and listing their witnesses and their exhibits, including updated Sworn Financial Statements (JDF 1111) and (if applicable) Supplemental Schedule (JDF 1111SS). Parties are encouraged to use a Pretrial Statement (JDF 1129) for this purpose. Each party must mail a copy of this statement of issues, witness list, exhibit list, exhibits and all attachments to the other party when it is filed with the Court. Rule 16.2(h)(l).

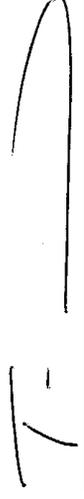
16. **If at least one party is represented by counsel:** The parties must file a Joint Trial Management Certificate 7 days before the hearing. The parties must exchange copies of their exhibits at least 7 days prior to the hearing. The Joint Trial Management Certificate shall thoroughly address all those items described in Rule 16.2(h)(2). If you fail to timely file a Joint Trial Management Certificate a Show Cause Order may issue.

Sanctions

17. At the hearing the Court may exclude witnesses or exhibits that were not disclosed as required by this Order.

SO ORDERED, December 9, 2022

BY THE COURT:



Thomas Mulvahill District Court Judge

Attachments to parties: 1. Domestic Violence Services Advisement
 2. Co-Parenting Class Chart
 3. Spousal Maintenance Advisement, pursuant to §14-10-114, C.R.S.

CERTIFICATE OF SERVICE

I certify that I electronically served the foregoing via the jPOD e-filing service on 12/9/2022.

A handwritten signature in black ink, appearing to read 'DK', with a long, sweeping horizontal stroke extending to the right.

Dan Kiemele
Court Judicial Assistant | (720) 664-1629
Dan.kiemele@judicial.state.co.us

Organizations Providing Domestic Violence Services
This information is provided pursuant to CRS 14-10-107.8 (revised 10/18/2018)

Asian Pacific Development Center

(303) 923-2920
info@apdc.org
apdc.org
Interpreter (303) 923-2945
clc@apdc.org

Boulder County Social Services

Boulder (303) 441-1000
Longmont (303) 678-6000

DVI – Domestic Violence Initiative

for Women with Disabilities
(303) 839-5510
www.dviforwomen.org

Division of Criminal Justice
Certified Domestic Violence Service Providers

Acacia Counseling

11811 Upham St., Suite A
Broomfield, CO 80020
(303) 438-9730

Aspen Treatment Services, Inc.

1518 Main St., Suite 202
Louisville, CO 80027
(303) 757-4410
www.aspentreatmentservices.com

Boulder Alcohol Education Center

1525 Spruce St., #100
Boulder, CO 80302
(303) 444-6142
www.boulderalcohol.com

Boulder Men’s Center

711 Walnut St., Suite 200
Boulder, CO 80302
(303) 444-8064

Collective for Psychological Wellness

1911 11th St.
Boulder, CO 80302
(303) 545-9392
www.collectiveforpsychologicalwellness.com

Safehouse Progressive Alliance for Nonviolence *

Boulder (303) 449-8623
24 Hour Crisis Line (303) 444-2424
info@safehousealliance.org
www.safehousealliance.org

Safe Shelter of St. Vrain Valley

(303) 772-0432
24 Hour Crisis Line (303) 772-4422
www.safeshelterofstvrain.org

Counseling Services of Longmont *

24 9th Ave
Longmont, CO 80501
(303) 772-3853
www.counselingserviceslongmont.org

Edward S. Marshall, Psy.D.

Licensed Clinical Psychologist
8515 Pearl St., Suite 204
Thornton, CO 80229
(303) 587-8767

Journey Counseling Center

1801 Sunset Pl. A
Longmont, CO 80501
(303) 776-1117

Men & Women Seeking Empowerment

100 E. South Boulder Rd., #101 & #105
Lafayette, CO 80026
(303) 665-7037
mwsempowerment.org

Weave Counseling *

711 Walnut St., Suite 200
Boulder, CO 80302
(303) 413-0794
www.weavecounseling.com

*Se Habla Espanol

Updated June 1, 2021
CO-PARENTING CLASS PROVIDERS FOR 20TH JUDICIAL DISTRICT

Zoom Videoconference Class

Boulder County Coparenting

Steve Gimpel, Licensed Marriage and Family Therapist

www.bouldercountycoparenting.com

Classes will be offered twice per month via the Zoom video conferencing platform.

- Offered in English
- \$40 per person
- 2.5 hour class
- **Register in advance** at:
www.bouldercountycoparenting.com
- Your completion certificate will be filed by Boulder County Coparenting

Online Parenting Class Options

<https://online.divorce-education.com>

- Offered in English and Spanish
- \$45.95 for 30-day course access
- 4 hour time estimate for completion
- You will receive a completion certificate, and then you must file it with the court

www.factcolorado.com

- Offered in English and Spanish
- \$45 per person
- 4 hour time estimate for completion
- You will receive a completion certificate, and then you must file it with the court

**BOULDER DISTRICT COURT
SPOUSAL/PARTNER MAINTENANCE GUIDELINES INFORMATION
PURSUANT TO §14-10-114, C.R.S.**

The Colorado Legislature has formulated **ADVISORY MAINTENANCE GUIDELINES** for spousal/partner maintenance which apply in cases where parties have been married at least three (3) years (calculated from the date of marriage to the date the Decree of Dissolution/Legal Separation enters) and have combined gross annual income of \$240,000 or less. However, before maintenance can or will be awarded to either party, the Court is required to consider a variety of factors, including but not limited to:

- Financial resources of the parties, including need and ability to pay
- Distribution of marital property
- Actual or potential income produced from separate or marital property
- Reasonable lifestyle and financial needs established during the marriage
- Income, employment and employability of the parties
- Historical earnings of the parties
- Duration of the marriage
- Reasonable ability to independently meet one's own reasonable needs
- Age and health status of each party
- Need and duration of education for lower earning party
- Amount of temporary maintenance and number of months paid, if any
- Significant economic or non-economic contributions to the marriage
- Any and all other relevant factors

You may either complete the manual maintenance guidelines calculation on the second page of this form **OR** you may complete an electronic Colorado Maintenance Worksheet.

The electronic Colorado Maintenance Worksheet can be obtained in one of the following ways:

- (1) You can download the Colorado maintenance calculator and complete an electronic Colorado Maintenance Worksheet at the following link:
http://www.courts.state.co.us/Forms/Forms_List.cfm?Form_Type_ID=71.
- (2) The Family Court Facilitator may assist you in completing the electronic Colorado Maintenance Worksheet at the ISC. If you are not scheduled for an ISC, please contact the Family Court Facilitator's office at 303-441-3739 or mardi.houston@judicial.state.co.us with any questions. The Self Represented Litigant Coordinators are also available for assistance by calling 303-441-4741.

ADVISORY MAINTENANCE GUIDELINES CALCULATION

Use this form if you do not use the electronic Colorado Maintenance Worksheet available on the judicial website at: http://www.courts.state.co.us/Forms/Forms_List.cfm?Form_Type_ID=71.

IMPORTANT NOTES:

- The values on this form are based upon each party's representation of his/her income and are subject to change if a party's income information changes.
- These advisory maintenance guidelines DO NOT create any presumption that maintenance will be ordered, or the amount or duration of any maintenance award. Absent an agreement of the parties, the Court retains full discretion to determine the award of maintenance, if any.

Advisory Maintenance Guideline Calculation:

Step 1:

Petitioner's adjusted gross monthly income	\$ _____ (A)
Co-Petitioner/Respondent adjusted gross monthly income	\$ _____ (B)
Combined adjusted gross monthly income (Line A plus Line B)	\$ _____ (C)
40% of combined adjusted gross income (Line C multiplied by 0.4)	\$ _____ (D)
Lower amount from Line A or Line B	\$ _____ (E)
Line D minus Line E (a negative number equates to 0)	\$ _____ (F)

Step 2:

If Line C is \$10,000 or less: 80% of Line F (Line F multiplied by 0.8) equals:	\$ _____ (G)
OR	
If Line C is \$10,001 to \$20,000: 75% of Line F (Line F multiplied by 0.75) equals:	\$ _____ (G)

To determine the number of months, please see attached table.

Length of marriage in full months _____ Percentage from table _____ %
 Guideline Term of Maintenance _____ months. **(I)**

Advisory Maintenance Guideline Summary:

The advisory maintenance guideline calculation would suggest a maintenance award which the Court could award of:

\$ _____ per month for _____ months to _____.
 (G) (I) (name of lower earning party)

By signing below, you are not agreeing to pay the amount determined by the calculation; you are only acknowledging that you have reviewed the above guideline.

 Petitioner, Date

 Respondent/ Co-Petitioner, date

14-10-114(8)(a)(I) "Adjusted gross income" means gross income, less preexisting court-ordered child support and alimony or maintenance actually paid by a parent.

MAINTENANCE DURATION TABLE

<u>Column1</u>	53	33.83%	18	81	38.50%	31	109	43.17%	47		
Months of Marriage	54	34.00%	18	82	38.67%	32	110	43.33%	48		
	55	34.17%	19	83	38.83%	32	111	43.50%	48		
<u>Column 2</u>	56	34.33%	19	84	39.00%	33	112	43.67%	49		
Percentage	57	34.50%	20	85	39.17%	33	113	43.83%	50		
	58	34.67%	20	86	39.33%	34	114	44.00%	50		
<u>Column3</u>	59	34.83%	21	87	39.50%	34	115	44.17%	51		
Guideline Months of	60	35.00%	21	88	39.67%	35	116	44.33%	51		
Maintenance Payments	61	35.17%	21	89	39.83%	35	117	44.50%	52		
	62	35.33%	22	90	40.00%	36	118	44.67%	53		
<u>1</u>	63	35.50%	22	91	40.17%	37	119	44.83%	53		
<u>2</u>	64	35.67%	23	92	40.33%	37	120	45.00%	54		
<u>3</u>	65	35.83%	23	93	40.50%	38	121	45.17%	55		
36	31.00%	11	64	35.67%	23	92	40.33%	37	120	45.00%	54
37	31.17%	12	65	35.83%	23	93	40.50%	38	121	45.17%	55
38	31.33%	12	66	36.00%	24	94	40.67%	38	122	45.33%	55
39	31.50%	12	67	36.17%	24	95	40.83%	39	123	45.50%	56
40	31.67%	13	68	36.33%	25	96	41.00%	39	124	45.67%	57
41	31.83%	13	69	36.50%	25	97	41.17%	40	125	45.83%	57
42	32.00%	13	70	36.67%	26	98	41.33%	41	126	46.00%	58
43	32.17%	14	71	36.83%	26	99	41.50%	41	127	46.17%	59
44	32.33%	14	72	37.00%	27	100	41.67%	42	128	46.33%	59
45	32.50%	15	73	37.17%	27	101	41.83%	42	129	46.50%	60
46	32.67%	15	74	37.33%	28	102	42.00%	43	130	46.67%	61
47	32.83%	15	75	37.50%	28	103	42.17%	43	131	46.83%	61
48	33.00%	16	76	37.67%	29	104	42.33%	44	132	47.00%	62
49	33.17%	16	77	37.83%	29	105	42.50%	45	133	47.17%	63
50	33.33%	17	78	38.00%	30	106	42.67%	45	134	47.33%	63
51	33.50%	17	79	38.17%	30	107	42.83%	46	135	47.50%	64
52	33.67%	18	80	38.33%	31	108	43.00%	46	136	47.67%	65

137	47.83%	66	200	50.00%	100
138	48.00%	66	201	50.00%	101
139	48.17%	67	202	50.00%	101
140	48.33%	68	203	50.00%	102
141	48.50%	68	204	50.00%	102
142	48.67%	69	205	50.00%	103
143	48.83%	70	206	50.00%	103
144	49.00%	71	207	50.00%	104
145	49.17%	71	208	50.00%	104
146	49.33%	72	209	50.00%	105
147	49.50%	73	210	50.00%	105
148	49.67%	74	211	50.00%	106
149	49.83%	74	212	50.00%	106
150	50.00%	75	213	50.00%	107
151	50.00%	76	214	50.00%	107
152	50.00%	76	215	50.00%	108
153	50.00%	77	216	50.00%	108
154	50.00%	77	217	50.00%	109
155	50.00%	78	218	50.00%	109
156	50.00%	78	219	50.00%	110
157	50.00%	79	220	50.00%	110
158	50.00%	79	221	50.00%	111
159	50.00%	80	222	50.00%	111
160	50.00%	80	223	50.00%	112
161	50.00%	81	224	50.00%	112
162	50.00%	81	225	50.00%	113
163	50.00%	82	226	50.00%	113
164	50.00%	82	227	50.00%	114
165	50.00%	83	228	50.00%	114
166	50.00%	83	229	50.00%	115
167	50.00%	84	230	50.00%	115
168	50.00%	84	231	50.00%	116
169	50.00%	85	232	50.00%	116
170	50.00%	85	233	50.00%	117
171	50.00%	86	234	50.00%	117
172	50.00%	86	235	50.00%	118
173	50.00%	87	236	50.00%	118
174	50.00%	87	237	50.00%	119
175	50.00%	88	238	50.00%	119
176	50.00%	88	239	50.00%	120
177	50.00%	89	240	50.00%	120
178	50.00%	89			
179	50.00%	90			
180	50.00%	90			
181	50.00%	91			
182	50.00%	91			
183	50.00%	92			
184	50.00%	92			
185	50.00%	93			
186	50.00%	93			
187	50.00%	94			
188	50.00%	94			
189	50.00%	95			
190	50.00%	95			
191	50.00%	96			
192	50.00%	96			
193	50.00%	97			
194	50.00%	97			
195	50.00%	98			
196	50.00%	98			
197	50.00%	99			
198	50.00%	99			
199	50.00%	100			

DATE FILED
September 2, 2025 11:14 AM
FILING ID: 86A2D95026726
CASE NUMBER: 2025CV80

EXHIBIT A

to

Affidavit of John M. Palmeri

Bell v. Freedberg, et al.

Case No.: 2025 CV 80



GORDON REES SCULLY MANSUKHANI
YOUR 50 STATE LAW FIRM™

100 Pringle Avenue, Suite 300
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(510) 463-8600
Tax ID: 94-1617026

Helen Pegram
Claims Attorney
ALPS Insurance Agency
111 N. Higgins Avenue
Suite 600
Missoula, MT 59807
hpegam@alpsinsurance.com

June 30, 2025
ID: ALPS 1396853
Invoice No. 21909177
Palmeri, John M.

RE: Bell, Charles R. v. Carol Glassman Esq.
Claim Number: B2515286

BILLING SUMMARY THROUGH May 31, 2025

Fees For Professional Services:	\$8,596.50
Expenses and Advances:	<u>0.00</u>
Current Bill:	\$8,596.50

To those clients on whose behalf services are being performed pursuant to a written Legal Services Agreement which permits the Firm to change its rates at any time by written notice to the Client and for said rates to then apply to all services rendered after such notice has been given, please note that, unless a contrary agreement has been made between the parties, the Firm reserves the right to increase the rates applicable to the subject engagement referenced in this invoice by 10% (Ten percent) and, in the event this occurs, said new rates shall be applicable to, and reflected upon, subsequent invoices generated thereafter. Please do not hesitate to contact us with any questions regarding the foregoing.

Professional Services

<u>Date</u>	<u>Description</u>	<u>Init</u>	<u>Hours</u>
05/12/25	Analyze complaint [REDACTED]	WGD	0.60
05/13/25	E mail to Ms. Glassman [REDACTED]	JMP	0.20
05/14/25	Analyze Colorado case law [REDACTED]	WGD	1.30
05/14/25	Meet with client via Zoom [REDACTED]	WGD	1.40
05/14/25	Exchange e mail with Ms. Glassman [REDACTED]	JMP	0.40
05/14/25	Zoom meeting with Ms. Glassman [REDACTED]	JMP	1.40
05/15/25	Begin drafting motion to dismiss [REDACTED]	WGD	2.10
05/15/25	Begin drafting motion to dismiss [REDACTED]	WGD	2.30
05/15/25	Email from plaintiff regarding subpoena notice and procedural allegations	WGD	0.10
05/15/25	Correspond with client via email [REDACTED]	WGD	0.20
05/16/25	Analyze [REDACTED]	WGD	2.20
05/16/25	Review and analyze motion to dismiss	JMP	0.80
05/16/25	E mail to Ms. Glassman	JMP	0.10
05/19/25	Analyze [REDACTED]	WGD	0.30
05/19/25	Analyze [REDACTED]	WGD	0.30

	[REDACTED]		
05/19/25	Correspond with client via email [REDACTED] [REDACTED]	WGD	0.60
05/19/25	Review and analyze [REDACTED]	JMP	3.80
05/20/25	Analyze [REDACTED] [REDACTED]	WGD	0.20
05/20/25	Analyze [REDACTED] [REDACTED]	WGD	0.20
05/20/25	Email Carol Glassman [REDACTED] [REDACTED]	WGD	0.40
05/21/25	Continue drafting motion to dismiss [REDACTED] [REDACTED]	WGD	2.40
05/21/25	Review and analyze motion to dismiss	JMP	1.10
05/22/25	Continue drafting motion to dismiss [REDACTED] [REDACTED]	WGD	1.90
05/22/25	Analyze [REDACTED] [REDACTED]	WGD	0.90
05/22/25	Continue drafting motion to dismiss [REDACTED] [REDACTED]	WGD	1.60
05/22/25	Continue drafting motion to dismiss [REDACTED] [REDACTED]	WGD	0.90
05/23/25	Correspond with client via email [REDACTED] [REDACTED]	WGD	0.20
05/23/25	Zoom meeting with client [REDACTED] [REDACTED]	WGD	1.20
05/23/25	Continue drafting Motion to Dismiss [REDACTED] [REDACTED]	WGD	1.60
05/23/25	Zoom meeting with Ms. Glassman [REDACTED]	JMP	1.20
05/27/25	Continue drafting motion to dismiss [REDACTED] [REDACTED]	WGD	0.90

05/27/25	Draft proposed order [REDACTED]	WGD	1.40
05/27/25	E mail to Ms. Glassman re motion to dismiss	JMP	0.10
05/29/25	Draft objection to subpoena to Alyson Bell	WGD	0.90
05/29/25	Draft objection to subpoena to Carol Glassman	WGD	0.60
05/29/25	Correspond with client via email [REDACTED]	WGD	0.20
05/30/25	Analyze [REDACTED]	WGD	0.30
05/30/25	Correspond with client via email [REDACTED]	WGD	0.30
05/31/25	Analyze [REDACTED]	WGD	0.20

Services Recap

<u>Init</u>	<u>Name</u>	<u>Title</u>	<u>Rate</u>	<u>Hours</u>	<u>Amount</u>
JMP	John Palmeri	Partner	275.00	9.10	2,502.50
WGD	William Dewey	Associate	220.00	27.70	6,094.00

TOTAL FOR SERVICES

\$8,596.50



GORDON REES SCULLY MANSUKHANI
YOUR 50 STATE LAW FIRM™

100 Pringle Avenue, Suite 300
Walnut Creek CA 94596-3580
(510) 463-8600
Tax ID: 94-1617026

Helen Pegram
Claims Attorney
ALPS Insurance Agency
111 N. Higgins Avenue
Suite 600
Missoula, MT 59807
hpegam@alpsinsurance.com

July 31, 2025
ID: ALPS 1396853
Invoice No. 21937948
Palmeri, John M.

RE: Bell, Charles R. v. Carol Glassman Esq.
Claim Number: B2515286

BILLING SUMMARY THROUGH June 30, 2025

Fees For Professional Services:	\$3,261.50
Expenses and Advances:	<u>115.64</u>
Current Bill:	\$3,377.14

To those clients on whose behalf services are being performed pursuant to a written Legal Services Agreement which permits the Firm to change its rates at any time by written notice to the Client and for said rates to then apply to all services rendered after such notice has been given, please note that, unless a contrary agreement has been made between the parties, the Firm reserves the right to increase the rates applicable to the subject engagement referenced in this invoice by 10% (Ten percent) and, in the event this occurs, said new rates shall be applicable to, and reflected upon, subsequent invoices generated thereafter. Please do not hesitate to contact us with any questions regarding the foregoing.

Professional Services

<u>Date</u>	<u>Description</u>	<u>Init</u>	<u>Hours</u>
06/09/25	Analyze Court of Appeals case Schelp cited in Plaintiff's response [REDACTED] [REDACTED]	WGD	0.30
06/09/25	Begin Drafting Reply in Support of Motion to Dismiss	WGD	3.60
06/09/25	Analyze Motion to Dismiss filed by Defendant Jay Freedberg [REDACTED] [REDACTED]	WGD	0.60
06/09/25	Analyze Plaintiff's Response to Motion to Dismiss	WGD	0.90
06/09/25	Review and analyze plaintiff's response to motion to dismiss	JMP	0.30
06/09/25	Prepare update to Ms. Pegram [REDACTED]	JMP	0.60
06/10/25	Analyze [REDACTED] [REDACTED]	WGD	0.20
06/10/25	Correspond with client via email [REDACTED] [REDACTED]	WGD	0.60
06/11/25	Continue drafting Reply in Support of Motion to Dismiss [REDACTED] [REDACTED]	WGD	0.30
06/12/25	Continue drafting reply in support of motion to dismiss [REDACTED] [REDACTED]	WGD	0.80
06/13/25	Continue drafting Reply in support of Motion to Dismiss [REDACTED] [REDACTED]	WGD	0.60
06/13/25	Analyze Plaintiff's motions for relief pursuant to Rule 16.2(e)(10) [REDACTED] [REDACTED]	WGD	0.40
06/13/25	Correspond via email with Carol Glassman [REDACTED] [REDACTED]	WGD	0.20
06/14/25	Correspond with client via email [REDACTED] [REDACTED]	WGD	0.40

06/16/25	Continue drafting reply in support of motion to dismiss [REDACTED] [REDACTED]	WGD	0.40
06/17/25	Analyze Plaintiff's Response to Objections and Motion to Compel Subpoena Compliance	WGD	0.40
06/17/25	Analyze [REDACTED] [REDACTED]	WGD	0.30
06/17/25	Analyze [REDACTED] [REDACTED]	WGD	0.10
06/17/25	Email client [REDACTED] [REDACTED]	WGD	0.80
06/19/25	Email from Plaintiff regarding non-compliant service	WGD	0.20
06/20/25	Email from Plaintiff related to Notice Regarding Unauthorized Use	WGD	0.20
06/20/25	Email from client [REDACTED] [REDACTED]	WGD	0.10
06/20/25	Email from Ryan Dunn (counsel for co-defendant Freedberg) in response to plaintiff's emails regarding unauthorized use	WGD	0.10
06/20/25	Correspond with Carol Glassman via email [REDACTED] [REDACTED]	WGD	0.40
06/24/25	Analyze [REDACTED] [REDACTED]	WGD	0.10
06/24/25	Email from Plaintiff related to Notice of Filing and Request for Clarification Regarding Unauthorized Use	WGD	0.10
06/24/25	Email from from counsel for co-defendant Freedberg responding to plaintiff's emails	WGD	0.10
06/30/25	Email from Plaintiff regarding request for transparency and good faith compliance under CRCP	WGD	0.10
06/30/25	Analyze [REDACTED] [REDACTED]	WGD	0.40

06/30/25 Analyze Plaintiff's Sur-Reply In Further Opposition To Defendant Glassmans Motion To Dismiss WGD 0.30

06/30/25 Analyze [REDACTED] WGD 0.70

Services Recap

<u>Init</u>	<u>Name</u>	<u>Title</u>	<u>Rate</u>	<u>Hours</u>	<u>Amount</u>
JMP	John Palmeri	Partner	275.00	0.90	247.50
WGD	William Dewey	Associate	220.00	13.70	3,014.00

TOTAL FOR SERVICES \$3,261.50

Expenses

<u>Date</u>	<u>Description</u>	<u>Amount</u>
05/31/25	Research - VENDOR: Colorado Interactive dba ICCES INVOICE#: 15742074 DATE: 5/31/2025 - 2020 - Research - Case Access; Case #2025CV80 on 05/12/2025 9:54 AM; Linda Bustos//T Austin/M Kleinert	15.00
05/31/25	Filing Service Fees - VENDOR: Colorado Interactive dba ICCES INVOICE#: 15742074 DATE: 5/31/2025 - 2008 - Filing Service Fees - Service Fee; Document Filed; ID # F38691CBA9806 on 05/15/2025 2:47 PM; John Palmeri/Linda Bustos/T Austin/M Kleinert	0.69
05/31/25	Filing Service Fees - VENDOR: Colorado Interactive dba ICCES INVOICE#: 15742074 DATE: 5/31/2025 - 2008 - Filing Service Fees - E-File Fee; Document Filed; ID # F38691CBA9806 on 05/15/2025 2:47 PM; John Palmeri/Linda Bustos/T Austin/M Kleinert	12.00
05/31/25	Filing Service Fees - VENDOR: Colorado Interactive dba ICCES INVOICE#: 15742074 DATE: 5/31/2025 - 2008 - Filing Service Fees - Service Fee; Document Filed; ID # F38691CBA9806 on 05/15/2025 2:47 PM; John Palmeri/Linda Bustos/T	12.00

<u>Date</u>	<u>Description</u>	<u>Amount</u>
05/31/25	Austin/M Kleinert Filing Service Fees - VENDOR: Colorado Interactive dba ICCES INVOICE#: 15742074 DATE: 5/31/2025 - 2008 - Filing Service Fees - Service Fee; Document Filed; ID # F38691CBA9806 on 05/15/2025 2:47 PM; John Palmeri/Linda Bustos/T	0.08
05/31/25	Austin/M Kleinert Filing Service Fees - VENDOR: Colorado Interactive dba ICCES INVOICE#: 15742074 DATE: 5/31/2025 - 2008 - Filing Service Fees - E-File Fee; Document Filed; ID # EB9D5884EA74D on 05/27/2025 11:43 AM; John Palmeri/Linda Bustos/T	12.00
05/31/25	Austin/M Kleinert Filing Service Fees - VENDOR: Colorado Interactive dba ICCES INVOICE#: 15742074 DATE: 5/31/2025 - 2008 - Filing Service Fees - Service Fee; Document Filed; ID # 139E6FFB88A70 on 05/29/2025 9:17 AM; John Palmeri/Linda Bustos/T	12.00
05/31/25	Austin/M Kleinert Filing Service Fees - VENDOR: Colorado Interactive dba ICCES INVOICE#: 15742074 DATE: 5/31/2025 - 2008 - Filing Service Fees - Service Fee; Document Filed; ID # 139E6FFB88A70 on 05/29/2025 9:17 AM; John Palmeri/Linda Bustos/T	0.97
05/31/25	Austin/M Kleinert Filing Service Fees - VENDOR: Colorado Interactive dba ICCES INVOICE#: 15742074 DATE: 5/31/2025 - 2008 - Filing Service Fees - Service Fee; Document Filed; ID # 139E6FFB88A70 on 05/29/2025 9:17 AM; John Palmeri/Linda Bustos/T	0.24
05/31/25	Austin/M Kleinert Filing Service Fees - VENDOR: Colorado Interactive dba ICCES INVOICE#: 15742074 DATE: 5/31/2025 - 2008 - Filing Service Fees - Service Fee; Document Filed; ID # A9B38571D8D2D on 05/29/2025 2:35 PM; John Palmeri/Linda Bustos/T	0.12
05/31/25	Austin/M Kleinert Filing Service Fees - VENDOR: Colorado Interactive dba ICCES INVOICE#: 15742074 DATE: 5/31/2025 - 2008 - Filing Service Fees - Service Fee; Document Filed; ID # A9B38571D8D2D on 05/29/2025 2:35 PM; John Palmeri/Linda Bustos/T	0.69
05/31/25	Austin/M Kleinert Filing Service Fees - VENDOR: Colorado Interactive dba ICCES INVOICE#: 15742074 DATE: 5/31/2025 - 2008 - Filing Service Fees - Service Fee; Document Filed; ID # A9B38571D8D2D on 05/29/2025 2:35 PM; John Palmeri/Linda Bustos/T	12.00
06/30/25	Austin/M Kleinert Filing Service Fees - VENDOR: Colorado Interactive dba ICCES INVOICE#: 15788414 DATE: 6/30/2025 - 2008 - Filing Service Fees - E-File Fee; Document Filed; ID # AECACB3A2302D on 06/16/2025 9:37 AM; John Palmeri/Linda Bustos/T	12.00

<u>Date</u>	<u>Description</u>	<u>Amount</u>
06/30/25	Filing Service Fees - VENDOR: Colorado Interactive dba ICCES INVOICE#: 15788414 DATE: 6/30/2025 - 2008 - Filing Service Fees - Service Fee; Document Filed; ID # AECACB3A2302D on 06/16/2025 9:37 AM; John Palmeri/Linda Bustos/T Austin/M Kleinert	12.00
06/30/25	Filing Service Fees - VENDOR: Colorado Interactive dba ICCES INVOICE#: 15788414 DATE: 6/30/2025 - 2008 - Filing Service Fees - Service Fee; Document Filed; ID # AECACB3A2302D on 06/16/2025 9:37 AM; John Palmeri/Linda Bustos/T Austin/M Kleinert	12.00
06/30/25	Filing Service Fees - VENDOR: Colorado Interactive dba ICCES INVOICE#: 15788414 DATE: 6/30/2025 - 2008 - Filing Service Fees - Service Fee; Document Filed; ID # AECACB3A2302D on 06/16/2025 9:37 AM; John Palmeri/Linda Bustos/T Austin/M Kleinert	0.60
06/30/25	Filing Service Fees - VENDOR: Colorado Interactive dba ICCES INVOICE#: 15788414 DATE: 6/30/2025 - 2008 - Filing Service Fees - Service Fee; Document Filed; ID # AECACB3A2302D on 06/16/2025 9:37 AM; John Palmeri/Linda Bustos/T Austin/M Kleinert	1.25
	TOTAL EXPENSES	\$115.64

Outstanding Statements as of July 31, 2025

<u>Invoice Number</u>	<u>Date</u>	<u>Balance Due</u>
Statement No 21909177	June 30, 2025	\$8,596.50
Total Accounts Receivable Balance:		\$8,596.50



GORDON REES SCULLY MANSUKHANI
YOUR 50 STATE LAW FIRM™

100 Pringle Avenue, Suite 300
Walnut Creek CA 94596-3580
(510) 463-8600
Tax ID: 94-1617026

Helen Pegram
Claims Attorney
ALPS Insurance Agency
111 N. Higgins Avenue
Suite 600
Missoula, MT 59807
hpegam@alpsinsurance.com

August 27, 2025
ID: ALPS 1396853
Invoice No. 21954518
Palmeri, John M.

RE: Bell, Charles R. v. Carol Glassman Esq.
Claim Number: B2515286

BILLING SUMMARY THROUGH July 31, 2025

Fees For Professional Services:	\$4,004.00
Expenses and Advances:	<u>0.00</u>
Current Bill:	\$4,004.00

To those clients on whose behalf services are being performed pursuant to a written Legal Services Agreement which permits the Firm to change its rates at any time by written notice to the Client and for said rates to then apply to all services rendered after such notice has been given, please note that, unless a contrary agreement has been made between the parties, the Firm reserves the right to increase the rates applicable to the subject engagement referenced in this invoice by 10% (Ten percent) and, in the event this occurs, said new rates shall be applicable to, and reflected upon, subsequent invoices generated thereafter. Please do not hesitate to contact us with any questions regarding the foregoing.

Professional Services

<u>Date</u>	<u>Description</u>	<u>Init</u>	<u>Hours</u>
07/01/25	Email from Plaintiff regarding Clarification of Prior Deadlines – Final Request for Response on Billing, Report, and Procedural Questions	WGD	0.30
07/03/25	Emails from Plaintiff regarding subpoena to Alyson Bell and Formal Notice Regarding Judicial Misstatements	WGD	0.20
07/03/25	Analyze [REDACTED]	WGD	0.30
07/03/25	Begin drafting response to Plaintiff's Motion to Compel	WGD	2.80
07/03/25	Analyze [REDACTED]	WGD	0.40
07/03/25	Correspond via email with Carol Glassman [REDACTED]	WGD	0.60
07/07/25	Begin drafting Notice of Filings to inform court of service of Plaintiff's filings not appearing in Court docket	WGD	1.40
07/07/25	Analyze [REDACTED]	WGD	0.40
07/07/25	Correspond via email with Carol Glassman [REDACTED]	WGD	0.20
07/07/25	Continue drafting Response to Motion to Compel [REDACTED]	WGD	0.30
07/09/25	Email from Plaintiff Charles Bell regarding service of court filings and subpoena for documents in underlying case	WGD	0.20
07/10/25	Correspond via email with Plaintiff regarding waiver of service of subpoena and premature discovery	WGD	0.10
07/10/25	Email from Plaintiff regarding litigation in underlying dissolution of marriage proceedings	WGD	0.10
07/10/25	Correspond with Carol Glassman via email [REDACTED]	WGD	0.40

07/10/25	Continue drafting Notice to Court of Filing Irregularities to finalize for filing in Boulder County Court	WGD	0.60
07/11/25	Begin drafting Response to Plaintiff's Motion to Strike	WGD	0.20
07/14/25	Emails from Plaintiff regarding Request for Clarification Re: Expert Report (Exhibit JJ) in 2025CV80 Filing Record [REDACTED]	WGD	0.20
07/14/25	Continue drafting response to Plaintiff's motion to strike	WGD	1.20
07/15/25	Emails from Plaintiff regarding request for clarification and notice of record correction	WGD	0.20
07/16/25	Analyze Plaintiff's Reply in support of motion to strike Freedberg's report	WGD	0.20
07/16/25	Email from Plaintiff regarding recent court filings	WGD	0.10
07/16/25	Email Carol Glassman [REDACTED]	WGD	0.40
07/17/25	Analyze [REDACTED]	WGD	0.40
07/17/25	Correspond via email with Carol Glassman [REDACTED]	WGD	0.40
07/17/25	Meet with Carol Glassman [REDACTED]	WGD	1.60
07/17/25	Email from Carol Glassman [REDACTED]	WGD	0.60
07/21/25	Analyze [REDACTED]	WGD	0.20
07/21/25	Email Carol Glassman [REDACTED]	WGD	0.30
07/23/25	Email Carol Glassman [REDACTED]	WGD	0.30
07/23/25	Analyze Court Order Regarding Outstanding Filings	WGD	0.10
07/24/25	Email from Plaintiff regarding closing the door on appellate fee pursuit	WGD	0.20

07/25/25	Analyze email from Plaintiff and attached Response to Court Order re: Evidentiary Hearing	WGD	0.30
07/25/25	Analyze [REDACTED]	WGD	0.30
07/25/25	Correspond via email with Carol Glassman [REDACTED]	WGD	0.10
07/28/25	Email from Plaintiff [REDACTED]	WGD	0.10
07/28/25	Correspond with Carol Glassman [REDACTED]	WGD	0.10
07/29/25	Analyze correspondence from the clerk of the court [REDACTED]	WGD	0.10
07/29/25	Analyze Plaintiff's Response in Opposition to Freedberg's Motion to Dismiss and numerous exhibits	WGD	0.80
07/29/25	Email from Plaintiff regarding some serious things to consider and notification of filings	WGD	0.20
07/29/25	Phone call with Glassman [REDACTED]	WGD	1.30

Services Recap

<u>Init</u>	<u>Name</u>	<u>Title</u>	<u>Rate</u>	<u>Hours</u>	<u>Amount</u>
WGD	William Dewey	Associate	220.00	18.20	4,004.00

TOTAL FOR SERVICES

\$4,004.00

ALPS Corporation
ID: ALPS 1396853
Invoice No.: 21954518

August 27, 2025
Page 5

Outstanding Statements as of August 27, 2025

<u>Invoice Number</u>	<u>Date</u>	<u>Balance Due</u>
Statement No 21937948	July 31, 2025	\$3,377.14
Total Accounts Receivable Balance:		\$3,377.14



Adam B. Wiens
1700 Lincoln Street, Suite 3500
Denver, Colorado 80203
Adam.Wiens@lewisbrisbois.com
Direct: 720.548.3957

April 28, 2025

VIA ELECTRONIC MAIL

Karen Phelan
Program Director
Colorado Board of Accountancy
1560 Broadway #1350
Denver, Colorado 80202
E-Mail: karen.phelan@state.co.us

Re: Response to Charles Bell's Complaint, 2025-1756

Dear: Ms. Phelan

Please accept this letter as Mr. Jay Edward Freedberg's (License No. CPA.0027356) Response to Mr. Charles Bell's Complaint #2025-1756, filed on February 27, 2025, and Supplemental Complaint filed on April 23, 2025.

I. PRELIMINARY STATEMENT

In 2022, Carol Glassman, Esquire, and Ms. Alyson (Bell) Varvel retained Mr. Freedberg and his firm, Six Consulting, LLC, to provide a rebuttal expert forensic accounting report (the "Rebuttal Report") in Bell v. Bell- 2022DR30458 (the "Dissolution Matter"). Prior to Mr. Freedberg's involvement, Bell and his now ex-wife, Ms. Varvel, jointly retained Jeremy Harkness and William H. Vincent of Causey Demgen & Moore P.C. to perform business and personal income valuations for Mr. Bell and his closely held business, Tool Studios, LLC. The Report differed slightly in several key respects further discussed below. Critically, the Rebuttal Report incorporated a weighted valuation of Tool Studios 2020 income in determining the business's valuation and Mr. Bell's annual income.

After properly scrutinizing both reports, Boulder County District Court, Judge Nancy Salomone adopted Mr. Freedberg's Rebuttal Report, specifically noting that she found Mr. Freedberg's reporting methodology to be "highly credible and compelling." Based in part on this conclusion, Judge Salomone awarded Ms. Varvel spousal maintenance totaling \$3,000.00 per month, child support for the Bell's minor child totaling \$1,283.00 per month and determined Mr. Bell's monthly income to be \$16,433 per month. **Exhibit 1, Permanent Orders: Dissolution of Marriage, at p. 13-15, 17.** Thus began the second life of the Dissolution Matter: Bell v. Everyone.

It should also be noted that the Dissolution Matter is ongoing and pending an appeal by Mr. Bell. Mr. Freedberg currently represent Ms. Varvel as her disclosed expert in a Motion to Modify Spousal Maintenance and Child Support Pursuant to §14-10-122, C.R.S. (the “Motion to Modify Matter”). The Motion to Modify Matter is scheduled for a full day hearing on June 11, 2025. Ms. Varvel’s counsel disclosed Mr. Freedberg’s report in the Motion to Modify matter to Mr. Bell on April 16, 2025.

On February 27, 2025, Mr. Bell filed this Complaint with the Colorado Board of Accountancy (the “Complaint”). As further illustrated below, Mr. Bell’s Complaint does not arise from Mr. Freedberg improper or unethical conduct, but rather Mr. Bell’s vendetta against the parties involved in the Dissolution Matter.

In the year and a half that has passed since the Court issued its Permanent Order, Mr. Bell has inundated the Courts, undersigned counsel, the Boulder Police Department, and the Colorado Board of Accountancy with a slew of AI generated documents, demands, and legal filings, outlining his grievances against any the parties involved with the Dissolution Matter. His non-stop communications and conduct have crossed the line from active participation to outright harassment and intimidation.

Since April 2, 2025, alone, Mr. Bell has emailed the undersigned counsel on 19 separate occasions, called . Below is a brief list of those email communications that most clearly illustrate the true nature of his dispute, to force Mr. Freedberg into retracting an unfavorable opinion.

April 7, 2025: Mr. Bell sends an email entitled *Notice of Filed Motion and Request for Good Faith Cooperation – Bell v. Bell, 2022 DR30458. Exhibit 2*. Attached to the email was a letter, demanding that Mr. Freedberg (1) retract and “correct” his July 17, 2023, expert rebuttal report; (2) cooperate with regulatory and judicial review boards in Mr. Bell’s actions against Freedberg and all other parties in the Dissolution Matter; (3) Disclose alleged Conflicts within the Rebuttal Report; (4) Avoid any “future concealment” under the threat of potential criminal action; and (5) Engage with Mr. Bell in settlement discussions in advance of a threatened civil action.

April 9, 2025: Mr. Bell provides undersigned counsel with a *Resolution Position Statement*, framed as an invitation to negotiate down his impending civil complaint against Mr. Freedberg. In the statement, Mr. Bell demanded financial compensation for alleged damages stemming from the Rebuttal Report, Mr. Freedberg’s formal declaration of non-existent external pressures that shaped the contents of the Rebuttal Report, and a retraction or correction of the opinions included within the Rebuttal Report. **Exhibit 3**.

April 14, 2025: Mr. Bell emails undersigned counsel demanding they force Mr. Freedberg into retracting his anticipated April 16, 2025, expert report, set for disclosure in the reconsideration of Dissolution Matter. In this correspondence, Mr. Bell threatens “*I’ve been forthcoming and within the bounds of the law. But the longer this goes on, the deeper the hole. You’re not just up against me anymore. You’re up*”

against the Colorado Supreme Court, DORA, AICPA, and the Boulder County Police Department. I am—frankly—the one person who can help minimize the damage to Mr. Freedberg and I am willing.” Exhibit 4.

April 15, 2025: Mr. Bell provides his *Final Opportunity for Civil Resolution*, demanding payment in the amount of \$250,000, and Mr. Freedberg’s withdrawal from the Dissolution Matter, in exchange for dropping potential civil claims against Mr. Freedberg.

April 17, 2025: Mr. Bell contacts undersigned counsel, accusing Mr. Freedberg of intentional misrepresentation, in the Dissolution Matter.

April 19, 2025: Mr. Bell provides undersigned counsel with a written notice of his intent to file civil suit against Mr. Freedberg, a formal records demand, and a draft version of an Office of Attorney Regulation Counsel Complaint against Ryan Dunn and Adam Wiens of Lewis Brisbois Bisgaard & Smith LLP. Within his email, Mr. Bell states, “As we agreed, let’s be direct. **I am the one you’re dealing with.** But let’s also be honest—what you’re really looking for is someone to “**handle me.**” That won’t happen. I’m not lost on my way to Oz—I’m exactly where I need to be, with Oz in my ear, holding to ethics I have yet to see in this matter and operating in full compliance with the law and the rules you swore to uphold and that I respect.” **Exhibit 5.**

April 24, 2025: Mr. Bell provides a settlement demand memorandum, now seeking a \$350,000 lump sum payment and formal rescission of the Rebuttal Report and subsequent April 17, 2025, amended Report.

The Boulder County District Court has repeatedly denied Mr. Bell’s attempts to relitigate the Dissolution Matter and admonished him for his frivolous filings. In its April 17, 2025, Judge Timothy Lee Johnson of the Boulder County District Court officially cautioned Mr. Bell “as to filing frivolous motions which result in expense and harm to the parties.”¹ **Exhibit 6, Order Re: Status of Request for Status Conference and Order Regarding the Issuance of Subpoenas.** Judge Johnson further noted that Mr. Bell’s filing of 80 individual motions in the period between March 14 and April 15, 2025 “could be considered an abuse of process.” *Id.*

In summary, Mr. Bell’s Complaint no. 2025-1756 is no more than an offshoot of his larger campaign to right the perceived wrongs levied against him by his ex-wife and her counsel in the Dissolution Matter. As this response shows below, the allegations included within Mr. Bell’s Complaint are unfounded, inaccurate, and must be dismissed.

II. RESPONSE TO BELL’S ALLEGATIONS

In the Complaint, Mr. Bell contains that Mr. Freedberg Rebuttal Report and subsequent testimony violated: (1) Colorado’s Forensic Accounting and Expert Witness Standards; (2) Rule 54’s

1

objectivity requirements; (3) the AICPA Code of Professional Conduct's Professional Integrity Requirements as described in ET §1.300.001; and (4) Colorado Rule of Evidence 702 and the related Daubert standard's proscribed standards for expert witness testimony. In each instance, Mr. Freedberg's reporting and professional conduct met with and exceeded these professional standards and, accordingly, Mr. Bell's Complaint should be dismissed.

A. Freedberg's Services to Varvel Complied with all applicable Forensic Accounting & Expert Witness Standards

Throughout his engagement, Mr. Freedberg's services to Ms. Varvel conformed to the AICPA's Statement on Standards for Forensic Services No.1 ("SSFS 1") and specifically the general standards required of a Certified Public Accountant established under the "Compliance With Standards Rule" (ET sec. 1.310.001 and 2.310.001):

Pursuant to rules 1.310.001 and 2.310.001 of the SSFS 1, an accountant's duty in providing forensic accounting opinions is to serve the client's interest by seeking to accomplish the objectives established by the understanding with the client while maintaining integrity and objectivity. : "Integrity requires a member to be, among other things, honest and candid within the constraints of client confidentiality. Service and the public trust should not be subordinated to personal gain and advantage. Integrity can accommodate the inadvertent error and the honest difference of opinion; it cannot accommodate deceit or subordination of principle." (ET sec. 0.300.040). Likewise, the AICPA defines objectivity as "state of mind, a quality that lends value to a member's services. It is a distinguishing feature of the profession. The principle of objectivity imposes the obligation to be impartial, intellectually honest, and free of conflicts of interest." Et. § 0.300.050.

Prior to his engagement in the underlying Dissolution of Marriage case, Mr. Freedberg's employer, Six Consulting LLC, established an agreement with Ms. Glassman outlining the nature, scope and limitations of the services performed. Neither Mr. Bell nor any other party identified any conflicts of interest during Mr. Freedberg's involvement in the underlying dissolution matter.

Mr. Freedberg's duties throughout his work with Ms. Glassman were to the public at large, and to Ms. Varvel directly. There were no aspects of Mr. Freedberg's services which undermined or subordinated his service to Ms. Varvel or the public. Mr. Freedberg has no present or prospective interest in any of the property subject to his opinions, his reporting was unclouded by personal financial interest or other bias with respect to the property or parties involved. Likewise, his fee for the forensic services rendered was in no way contingent upon his valuation of Tool studios, or on his opinion of Mr. Bell's gross income.

Mr. Freedberg's provided expert and reporting to assist the Court in understanding the complexities of valuing Tool Studios, Inc., a closely held small business owned by Mr. Bell, and Mr. Bell's sources of income. His worn testimony was subject to cross-examination by Mr. Bell's personal counsel and scrutiny by Judge Nancy Salomone of the Boulder County Court.

Judge Salomone ultimately accepted Mr. Freedberg's valuation of Tool Studio's LLC and Mr. Bell's annual income, finding his weighted incorporation of Tool Studio's and Mr. Bell's 2020

revenue “fittingly more nuanced” and noting that the report itself was “highly credible and compelling.” **Ex.1.**

B. Freedberg was a well-presented and vetted expert per Colorado Rule 702 and his reporting methodology complied with *Daubert* Standards for Expert witnesses

Mr. Bell next complains that Freedberg’s expert reporting and testimony fell beneath the *Daubert* standard and related Colorado Rule of Evidence 702. It is not entirely clear how, and if, these particular complaints fall within the Accountancy review board’s purview. Regardless, Mr. Freedberg’s report meets and exceeds the requirements for expert testimony pursuant to these standards as well.

Colorado Rule of Evidence 702 (“CRE 702”) provides:

If scientific, technical, or other specialized knowledge will assist the trier of fact to understand the evidence or to determine a fact in issue, a witness qualified as an expert by knowledge skill, experience, training, or education may testify thereto in the form of an opinion or otherwise.

Mr. Freedberg was stipulated as an expert witness by both parties in the underlying matter. **Ex. 1**, at p.1. Further, Mr. Freedberg received a Bachelor of Science Degree with a major in Accounting from the University of Colorado’s Leeds School of Business in 1989 and received his Certified Public Accountant (“CPA”) Licensure in the State of Colorado in 2009. Mr. Freedberg further hold the designations of Certified in Financial Forensics (“CFF”) and Accredited Business Valuation (“ABV”), both promulgated by the American Institute of Certified Public Accountants (“AICPA”)

Mr. Bell’s contention that Mr. Freedberg failed to meet the *Daubert* standard for expert witnesses dovetails with his larger complaint surrounding what he perceived to be the improper or inaccurate assessment of his future earnings, and the income derived from Tool Studios, LLC (“Tool”). In *Daubert v. Dow Chemical*, the United States Court Supreme laid out the definitive test for assessing the reliability of an expert witnesses’ methodology which provides that the reliability of expert methodology hinges on the methodology in question has been tested and widely relied upon.

Mr. Bell contends that Mr. Freedberg’s methodology “lacks consistency with industry standards” and fails to rely on “reliable principles and accepted forensic methodology” both contentions are incorrect. In assessing the assets at issue in the underlying dissolution matter, Mr. Freedberg found that the revenues and earnings of Tool Studios were highly variable during the lookback period. Bell and Varvel’s Joint Expert, Jeremy Harkness, presented Tool Studio’s results of operations during the five years ended December 31, 2018, through December 31, 2022, in his Valuation Report and Charles Bell’s Gross Income during the two years ended December 31, 2021, and December 31, 2022, in his income report.

Mr. Harkness applied a straight average of results from the four calendar years 2018, 2019, 2021, and 2022 (excluding the year 2020) in estimating the cash flows expected to be received by

Mr. Bell from the operations of Tool Studios. Harkness premised the use of the four year's results on the following:

*"We have excluded income from 2020 as the Company has not demonstrated the ability to secure similarly large projects, even on an infrequent basis. Additionally, the processes and systems of the Company currently are not equipped to accept such a large project."*²**[See Bell Exhibit GG page 14]**

In the preparation of his Rebuttal Valuation Report, Mr. Freedberg noted his disagreement with Mr. Harkness' opinions, citing Mr. Bell's deposition testimony regarding Tool Studio's ability to secure large projects and Tool Studio's ability to scale its team size to meet project demands. **[See Bell Exhibit JJ, pages 2 and 3]**

Mr. Freedberg recognized that the results of the year 2020 were less representative when considered within the five-year period 2018 through 2022. However, the results of 2020 did occur and, thus, should be considered in the valuation of Tool Studios and the calculation of Mr. Bell's Gross Income.

Freedberg utilized a consistent averaging methodology in both his Rebuttal Valuation Report and Rebuttal Income Report. The use of a weighted average is an established and accepted methodology among accountants and valuers and is in no way indicative of any wrongdoing or breach of ethical violations.

III. RESPONSE TO ALLEGED FINANCIAL ISSUES IN FREEDBERG'S REPORT

Mr. Bell further argues that the Rebuttal Report utilized nonstandard "custom weighted" methodology that artificially inflated his projected earnings, with the intention of allowing Ms. Varvel to assume the mortgage on their former marital home. As explained below, this assertion fails on two counts.

A. The use of a weighted average for Mr. Bell's 2018-2022 income was the only logical and Proper Methodology

In the Complaint, Mr. Bell describes Freedberg's weighted average as a "non-standard weighted average." Critically, the Complaint does not define a standard weighted average, a necessary predicate to establish a "non-standard weighted average." The application of a weighted average method is dependent on the facts and circumstances of each engagement. Thus, it follows that there is no standard method, and the weighting applied can and should vary from engagement to engagement.

² Tool Studios, LLC Valuation Engagement and Conclusion of Value of Charle Bell's 100% Ownership Interest as of February 28, 2023, signed by Jeremy Harkness and William H. Vincent of Causey Demgen & Moore P.C., page 11.

A reasonable interpretation of Mr. Bell's proposed "traditional average" would require that Mr. Freedberg use a straight average for the entire lookback period. If the Rebuttal Report utilized a straight average for 2018 through 2022, Mr. Bell's gross annual income would total \$238,340, rather than the \$197,200 offered in the Rebuttal Report. Accordingly, Mr. Freedberg's use of a one-half weight to Mr. Bell's 2020 earnings did not "artificially inflate" Mr. Bell's reported income and accurately reflects his income from 2018 to 2020.

Furthermore, it should be noted that for the year ended December 31, 2023, Mr. Bell reported wages and passthrough income from Tool Studios totaling \$266,003 annually or \$22,167 monthly (W-2 wages \$84,023 plus Schedule E income \$181,920), exclusive of any adjustments. This amount is \$5,734 per month greater than the \$16,433 finding of the Court in its Permanent Orders.

B. Mr. Freedberg did not consider Ms. Varvel's ability to assume the mortgage to the marital home into account when authoring his report.

Mr. Bell next alleges that the \$3,000 in spousal maintenance awarded to Ms. Varvel directly aligns with the income shortfall Varvel needed to qualify for her mortgage, and that she needed approximately \$111,000 annually to assume mortgage. Mr. Freedberg never addressed the mortgage nor any income necessary to qualify for a mortgage. His calculation of Bell's income was made independent of any consideration of Ms. Varvel's ability to assume the loan.

C. Mr. Freedberg was under no obligation to independently verify the financial records upon which he based his opinions.

Mr. Bell's Complaint states that Mr. Freedberg's deposition testimony indicates that he did not independently verify Ms. Varvel's financial records before using them in his analysis, and that this lack of confirmation violates AICPA forensic standards. As a starting point, Mr. Freedberg never provided deposition testimony in the Dissolution Matter. Likewise, Mr. Freedberg provided the following disclaimer in all his expert reporting:

This report may be used only in connection with the matter defined above and is not intended for and may not be used for other purposes or by anyone not directly involved in this matter. It is based solely upon the information received to date, we have accepted this data without independent verification or confirmation unless otherwise noted. To the extent that new information becomes available, revisions to this report may be appropriate.

Exhibit 7, *Jay Freedberg's 4.16.25 Income Report*, at p. 8.

Carol Glassman and Ms. Varvel engaged Mr. Freedberg to provide rebuttal comments, findings, and opinions related to the Valuation of Tool Studios and the Analysis of Charles Bell and Alyson Bell's Income prepared by Jeremy Harkness of Causey Demgen & Moore P.C. the Parties' jointly engaged expert. He was not engaged to provide any attestation or verification procedures related to the Dissolution Matter. Mr. Freedberg was not engaged to, nor did he conduct an Audit or perform any Accounting and Review services related to the Dissolution Matter. The services he

provided related to the Dissolution Matter were subject to SSFS 1. SSFS1 does not require that Mr. Freedberg perform an independent verification of Tool Studios financial data or the personal income data of Mr. Bell and Ms. Varvel.

Mr. Bell further claims that “AICPA forensic standards require due diligence in financial verification before expert opinions are presented in court.” SSFS 1 does not provide a “due diligence” standard, but references the General Standards Rule, as outlined by ET §§ 1.300.001 and 2.300.001. These standards require professional competence and the exercise of due professional care, adequate planning, and supervision, and for experts to obtain sufficient relevant data. Mr. Freedberg followed the General Standards in this engagement, and in every other engagement.

Likewise, while the NACVA Professional Standards are inapplicable to violations of the Accountants Practice Act because Mr. Bell referenced them in his Complaint, we will analyze those here. Section IV(C) Development Standards – Reliability of Data of the NACVA Professional Standards states, “A member/credentialed designee may rely upon information provided by any source without corroboration if disclosed in the report.”³

Mr. Freedberg’s Rebuttal Valuation Report stated, “We have generally relied upon the presentation of historical financial information (2018 - 2022) and adjusted historical financial information (2018 – April 30, 2023) provided in the CDM Report in the preparation of our rebuttal valuation.” **See Bell Exhibit JJ, page 6.**

Regarding Mr. Bell’s Gross Income, Freedberg’s Rebuttal Income Report stated, “On July 17, 2023, we issued a Rebuttal Valuation Report related to the 100% ownership interest in Tool Studios, LLC held by Charles Bell. We incorporate our comments, findings, and rebuttal opinions contained [in] that Rebuttal Valuation Report by reference.” **See Bell Exhibit JJA, page 1**

Mr. Bell and Ms. Varvel both had the opportunity to work cooperatively with Mr. Harkness during the development of his valuation opinions. Likewise, Mr. Harkness solicited questions and comments from Mr. Bell and Ms. (Bell) Varvel related to his draft reports. If Mr. Bell believed that the financial information upon which Mr. Harkness based his opinions was inaccurate, he was afforded the opportunity to request a correction or engage his own rebuttal expert to present financial information he believed was accurate if Mr. Harkness was unwilling to adjust his report.

IV. Other Issues Identified

Following the Dissolution Matter, Mr. Bell has indicated that the accounting books and records of Tool Studios may contain errors. The accounting books and records of Tool Studios are the responsibility of Mr. Bell as the controlling owner of the entity.

Mr. Freedberg was not engaged to, nor did he, provide any attestation or verification procedures related to the Dissolution matter. Likewise, he was not engaged to perform an Aud or

³ Professional Standards, National Association of Certified Valuators and Analysts ® (NAVCA®) Section IV(C) Development Standards – Reliability of Data, page 6. **[Appendix B]**

any Accounting and Review services and did not do so. All services Mr. Freedberg provided and continues to provide related to the Dissolution matter were subject to SSFS 1.

Mr. Freedberg's Valuation of Tool Studios and calculation of Charles Bell's Gross Income were primarily based on information contained in the Harkness Report and in a copy of Mr. Harkness' file provided by Carol Glassman, Esquire.

A comparison of inputs used in the valuation of Tool Studios and the calculation of Mr. Bell's Gross Income is presented in Schedule 1 attached to this letter.

A. Incorrect Presentation of Website Expenses 2018-2022

There was an incorrect presentation of "Website Expenses" during the years 2018 through 2022 in Mr. Freedberg's Rebuttal Valuation report Schedule 2 compared to Mr. Harkness' Valuation Report. He has identified the cause of this difference was due to a sum equation replacing the amounts reported in the Harkness Valuation Report's Schedule 2. This typographical error was not identified in his review of the Valuation Report prior to production.

Nevertheless, this typographical error had no effect on either the Conclusions of Value as of either February 28, 2023, or April 30, 2023, or Mr. Freedberg's opinions of Charles Bell's Gross Income. The Net Operating Income reported on Schedule 2 matches that of the Harkness Reports and provides the foundation of further analyses and adjustments.

B. Balance Sheet Presentation as of December 31, 2022

There was a discrepancy in the balance of sheet presentation as of December 31, 2022, between the Rebuttal Valuation Report and Mr. Harkness' Valuation report, owing to varying balance sheet dates the dates the balance sheet was exported from Tool Studios' QuickBooks accounting software as presented in **Appendix C**. Any difference in these account balances had no impact on Freedberg's valuation of Mr. Bell's interest in Tool Studios as of February 28, 2023, or April 30, 2023.

C. Claimed Omission of Financial Losses from 2021 and 2022

Mr. Bell claims that "Freedberg omitted financial losses from 2021 and 2022, shifting weight to earlier years to artificially inflate reported income." This statement is inaccurate and contrary to Schedules presented in Bell Exhibit JJ – Rebuttal Valuation Schedule 5, Bell Exhibit JJ Rebuttal Schedule 8, and Bell Exhibit JJA Rebuttal Income Schedule 2.

The Schedules listed above illustrate that the years 2018 through 2022 were considered in Mr. Freedberg's analysis and that the years 2021 and 2022 received the same weight as the years 2018 and 2019.

D. Claimed Omission of SBA Loan Payoff

Mr. Bell claims Harkness' financial records included this obligation, but Freedberg excluded it, falsely inflating cash flow." This statement is inaccurate and contrary to a comparison of Schedules presented in Bell Exhibit JJ – Rebuttal Valuation Schedule 1, page 10 and Bell Exhibit GG Schedule 1, page 24.

The Schedules listed above illustrate that my historical balance sheet as of December 31, 2020, are identical to the historical balance sheet as of December 31, 2020, presented in the Harkness Report.

E. Misclassification of PPP Loans

Mr. Bell claims, "**IRS guidelines exclude forgiven PPP loans from taxable income**, but Freedberg incorrectly classified it as taxable income." This statement is inaccurate and contrary to Schedules presented in Bell Exhibit JJ – Rebuttal Valuation Schedule 3, page 12, and Bell Exhibit JJA – Rebuttal Income Schedule 1, page 4.

The Schedules listed above illustrate that PPP loans were excluded from the calculation of Adjusted Net Income (pretax).

F. Fraudulent Addbacks I

Finally, Mr. Bell claims that "**Duplicate check entries, misclassified loan repayments, and improper business expense classifications** were used to inflate net cash flow." **See Bell Exhibits TTA and DD**

The add-back of \$150,000 was an adjustment presented in the Harkness Valuation Report Bell Exhibit GG, page 26. In the preparation of Bell Exhibit JJ- Rebuttal Valuation Schedule 3, page 12, and Bell Exhibit JJA – Rebuttal Income Schedule 1, page 4, I adopted the adjustments made by Mr. Harkness. Mr. Freedberg rebuttal comments, findings and opinions were focused on the exclusion of the year ended December 31, 2020, in the calculation of average net cash flow to equity and the calculation of Charles Bell's Gross Income. His opinions related to this issue were supported by the deposition testimony of Charles Bell, referenced in Bell Exhibit JJ, pages 2 – 3.

Mr. Bell further states that the add-back of \$150,000 "contradicts the 2020 tax returns". Expenses reported on an income tax return are often adjusted for the purpose of valuation and the calculation of Gross Income, because they are not considered "ordinary and necessary". If Mr. Bell believed that the financial information upon which Mr. Harkness based his opinions was inaccurate, he was afforded the opportunity to request a correction or engage his own rebuttal expert to present financial information he believed was accurate if Mr. Harkness was unwilling to adjust his report. He did not do so.

It should be noted that Mr. Harkness' identification of the \$150,000 add-back was based on information contained in the Tool Studios General Ledger for the year ended December 31, 2020, Bell Exhibit TT, rows 2278 – 2310.

The only historical item that could have affected the Rebuttal Report's Conclusion of Value and Charles Bell's Gross Income are the potentially duplicated entries of Check 2152 and Check 5985, in December 2020. Mr. Freedberg's analysis produced within the Motion to Modify matter reveals that an adjustment for the potentially duplicated checks would not have materially altered his calculations of Mr. Bell's income.

V. CONCLUSION

Mr. Bell's Complaint is rife with inaccuracies and conclusory statements and must be dismissed for several reasons. To start, the weighting methodology Mr. Freedberg utilized in his Rebuttal Report applied standard techniques regularly employed by accountants and evaluators. He utilized this method based on his experience and judgment as a Certified Public Accountant. His opinions were based on sufficient relevant data and were properly disclosed.

Additionally, Mr. Freedberg never established an accountant-client relationship with Mr. Bell. He was engaged by Carol Glassman and Alyson Bell to provide rebuttal comments, findings and opinions related to the valuation of Tool Studios and Mr. Bell and Ms. Varvel's income as provided in the Harkness report.

Mr. Freedberg was not engaged to provide and did not provide any attestation or verification procedures related to the Dissolution Matter. Mr. Freedberg was not hired to provide and did not provide an Audit, or any Accounting and Review services related to the dissolution matter. All services Mr. Freedberg rendered were subject to SSFS 1.

Finally, Mr. Freedberg had no prospective or contemplated financial interest in the businesses or property which his reports examined, and his fee was in no way contingent upon the outcome of his reports.

We respect your consideration of this matter. As detailed above there is no evidence that Mr. Freedberg violated his ethical obligations as a Certified Public Accountant at any point during his engagement with Ms. Varvel and Ms. Glassman. Mr. Freedberg therefore requests that Mr. Bell's Complaint be dismissed in its entirety.

Very truly yours,

s/Adam B. Wiens

Adam B. Wiens of
LEWIS BRISBOIS BISGAARD & SMITH LLP

ABW



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February 4, 2026

VIA ELECTRONIC MAIL

Karen Phelan
Program Director
Colorado Board of Accountancy
1560 Broadway #1350
Denver, Colorado 80202
E-Mail: karen.phelan@state.co.us

Re: Response to Charles Bell's Complaints, 2025-10459 & 2025-10460

Dear: Ms. Phelan

Please accept this letter as Mr. Jay Edward Freedberg's (License No. CPA.0027356) Response to Mr. Charles Bell's Complaint #2025-10459, filed on November 28, 2025, and as the response for Freedberg Ltd. (License No. FRM.5000712), Complaint #2025-10460, also filed on November 28, 2025. Both Complaints are identical other than Complaint #2025-10460 contains the exhibits filed by Mr. Bell. Bell's complaints have already been dismissed by the Board and there is nothing new. In essence, Mr. Bell is taking another bite at the same apple. The Board should reject Mr. Bell's continued efforts to harass and disparage Mr. Freedberg and forthwith dismiss Bell's new complaint.

As stated above, this Complaint is yet another in a string of filed by Mr. Bell: Complaint #2025-1756 filed on February 27, 2025, and his Supplemental Complaint filed on April 23, 2025. These Complaints were dismissed, and these latest Complaints amount to little more than Mr. Bell grasping at straws in his futile effort to seek vengeance against Mr. Freedberg for giving expert testimony on behalf of Mr. Bell's ex-wife in their divorce proceedings. It should be further noted that Mr. Bell also filed a lawsuit in the District Court for Boulder County against Mr. Freedberg involving the same allegations noted in his string of Complaints here. On August 11, 2025, the Boulder District Court dismissed Mr. Bell's claims, noting numerous times Mr. Bell's penchant for engaging in frivolous and baseless filings. Indeed, Mr. Freedberg was awarded fees and costs against Mr. Bell. Mr. Bell has failed to comply with the Attorney Fee award against him and the amount remains unsatisfied.

Mr. Bell also continues his crusade to communicate with undersigned in an attempt to settle claims that do not exist all in an apparent effort to intimidate and harass Mr. Freedberg. Presumably,

if Mr. Freedberg will just retract all of his expert testimony that was previously adopted by the Boulder District Court in the marital proceeding, Mr. Bell will cease any further harassment of Mr. Freedberg by continued complaints with the Board of Accountancy. Only the Board can put a stop to Mr. Bell's improper actions.

While Mr. Bell asserts that his most recent Complaints contain new and pertinent information to his ongoing crusade to harass Mr. Freedberg, they are in reality little more than Mr. Bell's fifth and sixth supplements to his Complaint #2025-1756, and act functionally as his attempt to appeal the determination of Complaint #2025-1756 adding yet more frivolous claims.

In recognition of the fact that this Complaint is merely a continuation of Mr. Bell's previous Complaints, Mr. Freedberg fully incorporates by reference his responses to Complaint #2025-1756 submitted to Ms. Phelan on April 28, 2025 and June 11, 2025. **Exhibit 1.**

I. PRELIMINARY STATEMENT

As an initial matter, the legal actions Mr. Bell continues to threaten Mr. Freedberg with are unavailable as a matter of law. While Mr. Bell attempts to masquerade his claims as issues with the manner in which Mr. Freedberg portrayed himself as an expert, Mr. Bell's actions fundamentally stem from his disagreement with Mr. Freedberg's expert opinions submitted before a Court of Law and act in service to try and undermine those findings by calling into question Mr. Freedberg's professional credibility. Under Colorado law, expert witnesses are absolutely immune from civil liability for testimony provided in judicial proceedings. See *Wolf v. Brenneman*, 2024 COA 71, ¶29; *Dalton v. Miller*, 984 P.2d 666, 668-9 (Colo. App. 1999). The *Dalton* Court described the public policy considerations behind this immunity, and their crucial role in maintaining judicial integrity as follows:

If shadowed by the threat of liability, a witness might testify in a manner that would prevent a potential lawsuit, but would deprive the court of the benefit of candid, unbiased testimony. However, if the threat of subsequent civil liability is removed, witness reliability is otherwise ensured by oath, cross-examination, and the threat of criminal prosecution for perjury.

Id. at 669.

While the Colorado Accountancy Board operates separately and independently of the Civil Court system, the underlying logic behind this immunity remains the same. Continually exposing Mr. Freedberg to threats against his licensure and livelihood based on opinions which, as detailed in Mr. Freedberg's responses to the previous Complaints, were provided consistently with his professional obligations as a CPA, does not serve the interests of the public at large. Mr. Freedberg's reports underwent proper judicial scrutiny in the underlying dissolution of marriage case and were filed under the threat of perjury. Allowing Mr. Bell to continue dragging Mr. Freedberg's reputation through the mud, despite his full compliance with the applicable codes of professional conduct and rules governing expert witnesses will only serve to dissuade Mr. Freedberg and future witnesses from providing the Court and the public at large with Forensic Accounting services crucial to the proper adjudication of marital dissolutions.

As such, the State Board of Accountancy should decline to continue this matter any further, and should take steps to end the long saga of Mr. Bell's abuse of the complaint process as a mechanism to harass and generate monetary expense to Mr. Freedberg.

II. BACKGROUND

In 2022, Carol Glassman, an attorney, and Ms. Alyson Bell, née Varvel, retained Mr. Freedberg and the firm with which he was employed, Six Consulting, LLC, to provide a rebuttal expert forensic accounting report (the "Rebuttal Report") in *Bell v. Bell - 2022DR30458* (the "Dissolution Matter"). Prior to Mr. Freedberg's involvement, Bell and his now ex-wife, Ms. Varvel, jointly retained Jeremy Harkness and William H. Vincent of Causey Demgen & Moore P.C. to perform business and personal income valuations for Mr. Bell and his closely held business, Tool Studios, LLC. The Report differed slightly in several key respects further discussed below. Critically, the Rebuttal Report, an expert opinion, incorporated a weighted valuation of Tool Studios' 2020 income in determining the business's valuation and Mr. Bell's annual income.

After properly scrutinizing both reports, Boulder County District Court, Judge Nancy Salomone, as the "gatekeeper" regarding expert opinions under Colorado Rules of Civil Procedure, adopted Mr. Freedberg's Rebuttal Report, specifically noting that she found Mr. Freedberg's reporting methodology to be "highly credible and compelling." Based in part on this conclusion, Judge Salomone awarded Ms. Varvel spousal maintenance totaling \$3,000.00 per month, child support for the Bell's minor child totaling \$1,283.00 per month and determined Mr. Bell's monthly income to be \$16,433 per month. Plaintiff appealed this ruling to the Colorado Court of Appeals. In its decisions, the Court of Appeals upheld the District Court's decision to utilize the Rebuttal Report in valuing Tool Studios LLC and in determining Mr. Bell's personal income, stating:

The portions of the judgement concerning the property division, maintenance, and child support are affirmed. The portions of the judgment concerning the award of attorneys fees to wife are reversed. The case is remanded for further proceedings as to wife's requests for attorneys fees and appellate attorneys fees. Those portions of the judgment not challenged on appeal remain undisturbed.

Exhibit 2, *In Re Marriage of Charles Bell and Alyson Bell*, 24CA0141 at ¶44.

On February 27, 2025, Mr. Bell filed the first of many Complaints with the Colorado Board of Accountancy (the "Complaint").¹ These Complaints have all been dismissed by the Board of Accountancy. Nevertheless, Mr. Bell has continued to conjure new and inventive ways to try and harass Mr. Freedberg. In furtherance of this vendetta, the Complaints at issue in this matter were filed on November 28, 2025. As further illustrated below, Mr. Bell's Complaints do not arise from Mr. Freedberg improper or unethical conduct, but rather as part of Mr. Bell's ongoing efforts to harass

¹ It should also be noted, Mr. Bell has filed complaints against his ex-wife's lawyer with the Colorado Supreme Court Office of Attorney Regulatory Counsel alleging ethical violations. In effect, anyone responsible for the Court's Order concerning the amount Mr. Bell has been required to pay in support has been attacked personally by Mr. Bell.

Mr. Freedberg. Importantly, all of Bell's complaints now are premised on facts that existed when he filed his first complaint. Bell now just goes back to the well to see what else he can complaint about – none of which has merit and should be dismissed.

The Boulder County District Court has repeatedly denied Mr. Bell's attempts to relitigate the Dissolution Matter and admonished him for his frivolous filings. In April 23, 2025, Judge Timothy Lee Johnson of the Boulder County District Court officially cautioned Mr. Bell "as to filing frivolous motions which result in expense and harm to the parties." **Exhibit 3, Order Re: Status of Request for Status Conference and Order Regarding the Issuance of Subpoenas.** Judge Johnson further noted that Mr. Bell's filing of 80 individual motions in the period between March 14 and April 15, 2025 "could be considered an abuse of process." *Id.*

On May 30, 2025, following a slew of factually inaccurate and harassing filings presented by Mr. Bell in the Motion to Reconsider matter, Magistrate Judge Timothy Lee Johnsons of the Boulder County District Court granted Ms. Varvel's Motion to Limit Filings by Mr. Bell, noting in his order that,

Mr. Bell has filed nine (9) substantive filings AFTER the Motion to Limit Filings by Petitioner was filed which are harassing, are substantially groundless, and substantially vexatious. Despite numerous warnings by the Court, Petitioner continues to file excessive motions with the Court which are substantially frivolous.

Exhibit 4, Order Granting Motion to Limit Filings.

In summary, Mr. Bell's Complaints #2025-10459 and 2025-10460 are unfounded, inaccurate, and must be dismissed.

III. RESPONSE TO BELL'S ALLEGATIONS

In the Complaint, Mr. Bell asserts a laundry list of unfounded accusations that Mr. Freedberg 1.) provided "false statements" regarding who retained him and on whose behalf he issued his expert opinion, 2.) had "undisclosed early access" to the joint court appointed expert's files, 3.) engaged in misleading use of several firm identities, 4.) had "contradictions" in his previous responses to the Board regarding whether Six Consulting, LLC was his firm or whether he was merely employed there, and 5.) accuses Mr. Freedberg of not responding to a subpoena served on a different person: Eric Six, in a case that was dismissed.

Mr. Bells goes on later to articulate that Mr. Freedberg specifically violated: 1.) § 12-100-120(1)(d); 2.) §12-100-120(1)(j); 3.) §12-100-120(1)(o); and 4.) the AICPA Code of Professional Conduct's Professional Integrity Requirements as described in ET §0.300.040, ET § 0.300.050, ET 1.100.001, ET 1.300.001, ET 1.400.001 and ET 1.400.090. In each instance, Mr. Freedberg's reporting and professional conduct met with and exceeded these professional standards and, accordingly, Mr. Bell's Complaint should be dismissed.

A. A typographical error by an attorney does not amount to a professional violation by Respondent Freedberg.

Plaintiff makes much to-do over the fact that the Witness Disclosure submitted by Carol Glassman on June 16, 2023, contained a typographical mistake describing Mr. Freedberg as “Petitioner’s” retained expert as opposed to “Co-Petitioner’s” retained expert. This mistake was corrected in the Rebuttal Witness Disclosure on July 17, 2023, which accompanied the submission of Mr. Freedberg’s rebuttal report. **Exhibit 5.** Plaintiff suggests that this was somehow intentional, that it was done to confuse him, and that this mistake *by an attorney* caused Mr. Freedberg to violate § 12-100-120(1)(d), ET §0.300.040, ET § 0.300.050, ET 1.100.001, and ET 1.300.001.

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. Mr. Freedberg did not consult with Mr. Bell, engage with him, or otherwise interact with him or represent himself as an expert for Mr. Bell – nor does Mr. Bell accuse Mr. Freedberg of having done so. Mr. Freedberg was initially engaged as a consultant to Carol Glassman, legal counsel for Alyson Varvel, and the fact that the attorney on the matter made a typographical error that was corrected shortly afterwards does not amount to an ethical violation on Mr. Freedberg’s part.

B. Mr. Freedberg had no “early access” to files held by the joint expert for the parties.

In his Complaint, Mr. Freedberg deduces, without citing any evidence whatsoever, that because Mr. Freedberg was originally enrolled as “Petitioner’s” retained expert, that he also must have had “early access” to the records of the joint experts retained in the matter. Mr. Bell suggests that such acts would amount to violations of §12-100-120(1)(j) and ET 1.300.001. Mr. Bell attempts to give some degree of support to his claims by making a labyrinth argument that various billing entries obtained from Carol Glassman show that Mr. Freedberg was working on an expert report between when he was originally enrolled as an expert and when he finally disclosed his report. That Mr. Freedberg would work on an expert report after being retained to do so is obvious, and once again makes a mountain out of the molehill that was the typographical error made by an attorney when she enrolled Mr. Freedberg as “Petitioner’s” retained expert as opposed to “Co-Petitioner’s” retained expert. There is absolutely no evidence to suggest that Mr. Freedberg had access to any files he was not supposed to, and Ms. Glassman’s clerical error listing Mr. Freedberg as “Petitioner’s” retained expert did not automatically grant Mr. Freedberg any unethical access to information he would not have already had access to.

Like Mr. Bell’s previous allegation, this claim that Mr. Freedberg has conducted an ethical violation because an attorney made a clerical error is without basis. There was no “early access” to the files and information of the Parties’ jointly retained expert, and Mr. Bell has given the Board no evidence of such or even made a credible accusation. All information Mr. Freedberg received in this matter was provided to him by Carol Glassman, Alyson Varvel, and Charles Bell. The documents and information provided to the Parties’ joint experts were relayed to Mr. Freedberg through Ms. Glassman and Ms. Varvel in the ordinary course of the dissolution proceedings.

C. Mr. Freedberg has consistently identified both himself and the firm for which he was employed.

Mr. Bell's third allegation concerns an alleged conspiracy by Mr. Freedberg to mislead him as to what firm he worked for. Why this would convey any sort of advantage or be relevant at all to anything, Mr. Bell does not elaborate on.

Mr. Freedberg did not make any false or shifting statements related to his identity, the identity of the firm he was representing, nor that of the Client he was representing. Mr. Freedberg's employment is well documented in the narrative of the reports he produced and his *Curriculum Vitae*/Rule 26 Disclosure. **Exhibit 6** The reports that were produced in 2022DR30458 were presented on letterhead, which contained the firm name, mailing address, email address, and telephone number where Mr. Freedberg could be contacted. **Exhibit 6** Mr. Bell's issue appears to arise out of Mr. Freedberg's departure from Six Consulting and the establishment of his own firm, and his belief that because Mr. Freedberg engaged in subsequent work in 2025, that somehow it calls into question the ethical veracity of the work he performed for Six Consulting when the original report was produced in 2023. This is deeply nonsensical, and does not present any potential ethical violation under §12-100-120(1)(o), ET 1.400.001 and ET 1.400.090.

In January 2024 after an approximate thirteen-year association with Six Consulting, LLC, Mr. Freedberg left Six Consulting, LLC and continued his practice as a sole practitioner and the managing member of Freedberg Ltd. Mr. Freedberg currently maintains a file related to his work related to the Bell's dissolution of marriage, which includes copies of documents that he received, workpapers he created, and reports that he issued both as an associate of Six Consulting, LLC and Freedberg Ltd. He intends to continue to maintain that information for sixty months as required by 3 CCR 705-1 1.12 (J)(2)(a).

D. Mr. Freedberg has never claimed to be the owner of Six Consulting, LLC.

Mr. Bell claims that whenever Mr. Freedberg made statements that Six Consulting was "his firm", he was falsely representing himself as the owner of Six Consulting, and that saying such resulted in an ethical violation of §12-100-120(1)(o), ET 1.400.001 and ET 1.400.090. Referring to a firm as being "my firm" is common parlance associated with discussing one's employment with a professional firm, and Mr. Bell fails to cite to any evidence showing that Mr. Freedberg ever stated that he was the owner, partner, member, principal, or manager of Six Consulting, LLC. Any reference made by Mr. Freedberg to "his firm" in any prior submission to the Board was related to the firm that he was associated with at that time, not a representation that he owned it. The compensation Mr. Freedberg received from Six Consulting, LLC was as a non-employee/contractor in payment for his time and expertise.

It is perhaps telling that Mr. Bell does not point to any documents generated by Mr. Freedberg directly when making this accusation, but rather, only to responses to ethical complaints submitted in previous Complaints by Mr. Bell. This accusation of an ethical violation is, much like all of Mr. Bell's accusations, completely baseless and the Board should decline to continue any further investigation.

E. Mr. Freedberg had not failed to respond to lawfully issued subpoenas.

Mr. Bell's final accusation is that Mr. Freedberg violated §12-100-120(1)(o), ET 1.400.001 and ET 1.400.090 by failing to respond to a subpoena issued to his former employer: Eric Six of Six Consulting LLC. The subpoena in question was filed in relation to the civil lawsuit in Boulder County filed by Mr. Bell against Mr. Freedberg, 25CV80, not in relation to Mr. Bell's divorce proceedings in 2022DR30458. Mr. Bell filed a motion with the Boulder County District Court to respond to that subpoena, a motion that was ultimately denied as moot when the District Court dismissed Mr. Bell's case. This matter has already been litigated, a District Court has declined to rule that Mr. Bell's subpoena had any merit, and at any rate how Mr. Freedberg could have possibly committed an ethical violation by not answering a subpoena directed towards a company he no longer works for is beyond comprehension.

This claim, like all of Mr. Bell's claims, is nonsensical, and the Board should decline to engage in any further investigation.

F. Mr. Bell has engaged in a consistent campaign of harassment against Mr. Freeberg, and his abuse of the oversight process of the Board should be stopped.

Since August 2025 and after the Civil matter and Mr. Bell's original series of Board Complaints were dismissed, Mr. Freedberg has continually harassed Mr. Freedberg by sending him over 15 emails despite numerous warnings from undersigned counsel to cease contacting Mr. Freedberg directly. Further, Mr. Bell has published a website, www.theglassbergeffect.com, which contains malicious, inaccurate, and misleading information related to Mr. Freedberg and his practice of accountancy. This campaign of targeted harassment must be ended and Mr. Freedberg again asks the Board to dismiss this complaint.

IV. CONCLUSION

Mr. Bell's Complaint is rife with inaccuracies, conclusory statements, and outright fabrications of the mind, and as such must be dismissed. Mr. Freedberg never established an accountant-client relationship with Mr. Bell. He was engaged in an adversarial legal proceeding by Carol Glassman and Alyson Bell to provide rebuttal comments, findings and opinions related to the valuation of Tool Studios and Mr. Bell and Ms. Varvel's income as provided in the Harkness report. Mr. Freedberg never obtained "early access" to any joint court-appointed files, Mr. Freedberg's departure from Six Consulting and establishment of his own firm did not amount to any misleading representations about whom he worked for, and Mr. Freedberg never falsely represented that he was the owner of Six Consulting, LLC. Finally, Mr. Bell's accusation that Mr. Freedberg violated the code of ethics by failing to comply with a subpoena that was dismissed by the Boulder County District Court is utterly unfounded. As outlined above, all of these accusations are fictitious and semantical arguments brought forth by Mr. Bell without any evidence, and in furtherance of a personal vendetta stemming from his outrage over Mr. Freedberg's testimony as an expert in Mr. Bell's divorce case.

We respect your consideration of this matter. As detailed above there is no evidence that Mr. Freedberg violated his ethical obligations as a Certified Public Accountant at any point during or after his engagement with Ms. Varvel and Ms. Glassman. Mr. Freedberg therefore requests that Mr. Bell's Complaint be dismissed in its entirety.

Karen Phelan
April 4, 2025
Page 8

Very truly yours,



Adam B. Wiens of
LEWIS BRISBOIS BISGAARD & SMITH LLP

ABW

EXHIBIT 16: VERIFIED FORENSIC REPORT REGARDING THE SUBVERSION OF THE JANUARY 31, 2023 JOINT EXPERT STIPULATION

I. SCOPE AND PURPOSE OF REVIEW This forensic report is submitted to provide the Court with a chronological, verifiable reconstruction of the expert witness framework in the above-captioned matter. This review relies strictly upon native court filings, official hearing transcripts, and contemporaneous, time-stamped email correspondence involving the Court-appointed Joint Expert, Mr. Jeremy Harkness, CPA/ABV.

The purpose of this report is to demonstrate, through objective documentary evidence, that the foundational rules governing expert testimony were bypassed to illicitly introduce a secondary, unvetted financial valuation into the trial record.

II. GOVERNING PROCEDURAL FRAMEWORK 1. The January 31, 2023 Joint Expert

Stipulation: On January 31, 2023, the Court entered a binding Order Regarding Joint Expert Stipulation. This Order retained Jeremy C. Harkness of Causey Demgen & Moore P.C. as the sole joint expert to perform a business valuation for Tool Studios, LLC. **2. The Mandatory Prerequisite to Rebuttal:** The Court's January 31 Order established a strict procedural prerequisite regarding disputes. It mandated that: "*The parties shall attempt to resolve problems and/or deficiencies in the experts' reports during the 'comment period' and prior to requesting third party experts to prepare rebuttal reports*".

III. FORENSIC TIMELINE & OBJECTIVE FINDINGS

Finding 1: The Unrestricted, Asset-Based Baseline Following his appointment, Mr. Harkness executed his duties without restriction, determining the value of the business to be between \$190,000 and \$207,000, and establishing Petitioner's 2022 baseline income at \$115,620. Mr. Harkness confirmed under oath at the August 23, 2023 Permanent Orders Hearing that he faced no restrictions or limitations on the scope of his work or the data available for his analysis.

Finding 2: The Evasion of the Mandatory "Comment Period" The record contains no evidence that Co-Petitioner's counsel utilized the Court-ordered "comment period" to notify Mr. Harkness of methodological deficiencies necessitating a third-party rebuttal expert. The only documented dispute raised to Mr. Harkness concerned the updating of depleting cash balances. Despite this, Co-Petitioner's counsel secretly retained a third-party expert, Jay Freedberg, CPA/ABV/CFF. Civil defense counsel for Mr. Freedberg later submitted a formal admission to the Colorado Board of Accountancy that Mr. Freedberg and his firm were retained by Ms. Glassman and Ms. Bell as early as 2022 prior to the Joint Expert even issuing his report.

Finding 3: The Complete Isolation of the Joint Expert To maintain the integrity of a joint expert framework, communications regarding financial models must be transparent. However, the record proves Mr. Harkness was entirely excluded from the secondary financial analysis. On July 25, 2023, at 3:24 PM, Petitioner's counsel emailed Mr. Harkness asking if he had ever spoken to the opposing "rebuttal guy" at Six Accounting. At 3:52 PM, Mr. Harkness replied in writing: "*I never talked to him.*". Mr. Freedberg's subsequent adjustments to the financial models were made without any coordination with the Court's appointed neutral expert.

Finding 4: The August 23, 2023 Courtroom Misrepresentation Despite secretly retaining Mr. Freedberg to alter the valuation, Co-Petitioner's counsel (Ms. Glassman) directed Mr. Harkness to appear and testify at the August 23, 2023 Permanent Orders Hearing. After Mr. Harkness was released by the Court from his obligations, Ms. Glassman called Mr. Freedberg to the stand.

To bypass the scrutiny required for an expert witness, the following exchange occurred on the official trial transcript (**Exhibit AA, Vol. I, p. 43**):

THE COURT: "With no report serving as the necessary basis for anything up to now?"

MS. GLASSMAN: "That is correct." **THE COURT:** "I understand." **MS. GLASSMAN:**

"Just a regular --" **THE COURT:** "Witness."

By officially misrepresenting Mr. Freedberg as a "regular witness" with "no report serving as the necessary basis," Co-Petitioner's counsel effectively circumvented the disclosure requirements of C.R.C.P. 26(a)(2) and the limitations of the January 31, 2023 Joint Expert Stipulation.

Finding 5: The Affirmative Misrepresentation of Petitioner's Demands To justify the illicit introduction of the secondary expert to the Trial Court, Co-Petitioner's counsel affirmatively misrepresented the procedural history and the actions of Petitioner's former counsel, John Gaddis. During closing arguments, Co-Petitioner's counsel stated on the record:

"Don't forget that the reason why we had a second valuation and a rebuttal is because of the disagreement of the first. Mr. Bell requested, through Mr. Gaddis, the second valuation." (Exhibit AAA pg. 249)

The contemporaneous documentary record proves this statement to the Court to be materially false. At no time did Petitioner or Mr. Gaddis request a "second valuation" or a rebuttal expert. The record establishes that Mr. Gaddis only requested that the Joint Expert (Mr. Harkness) update the existing asset-based valuation to reflect depleting cash accounts.

Furthermore, on April 27, 2023, Mr. Gaddis sent an email directly to Co-Petitioner's counsel and the Joint Expert, explicitly rejecting the expansion of the financial analysis, stating: *"I do oppose Mr. Harkness opining on my client's income."* Co-Petitioner's counsel utilized the false narrative of a "demanded" second valuation to legitimize Mr. Freedberg's presence on the docket, bypassing the restrictions of the January 31, 2023 Joint Expert Stipulation.

IV. CONCLUSION: SUBVERSION OF THE EVIDENTIARY RECORD The objective documentary record establishes that the January 31, 2023 Joint Expert Order was subverted. A secondary valuation was introduced into the trial court's record without exhausting the mandatory comment period, without the knowledge or coordination of

the appointed Joint Expert, and ultimately presented to the Court under the false guise of a "regular witness" lacking a foundational report.

V. VERIFICATION I, Charles R. Bell, declare under penalty of perjury under the laws of the State of Colorado that the foregoing forensic timeline and report is true and correct, and that all findings are derived directly from the certified court docket, official trial transcripts, and native email correspondence.

Executed on Friday, March 13, 2026

/s/**Charles R. Bell** Petitioner, Pro Se

From: Dunn, Ryan Ryan.Dunn@lewisbrisbois.com

Subject: RE: Formal Notice and Request for Immediate Action – Case No. 25CV80 PURSUANT TO C.R.E. 408

Date: June 20, 2025 at 3:08 PM

To: Charles Bell bell@partnersandbell.com, John Palmeri jpalmeri@grsm.com, William Dewey, wdewey@grsm.com, Nelissa Milfeld milfeldlaw@gmail.com, Wiens, Adam Adam.Wiens@lewisbrisbois.com

Mr. Bell,

As officers of the Court and sworn attorneys in the State of Colorado, Adam Wiens and I affirmatively represent that we have never spoken with Ms. Glassman, Ms. Milfeld, or their representatives with respect to this matter, the underlying dissolution of marriage matter, your complaints against Mr. Freedberg before the Colorado Accountancy Board, or in any other respect. Accordingly, the insinuation that we were involved in a “coordinated effort to withhold critical information” is wholly inaccurate.

With respect to you June 4 communications. The first email entitled simply “Comments on this?” was a forwarded copy of an email you received from Ms. Glassman with Mr. Freedberg’s subpoena to attend the motion to modify hearing in the underlying case between you and Ms. Varvel. As I have stated several times, we did not and do not currently represent Mr. Bell nor any other party in that matter. Your second email was purportedly a rule 408 settlement communication. You requested that we not disclose the information in that email, so I will not do that here. Suffice it to say, we did not believe your settlement request warranted a response.

I have responded to each “item requiring response” below:

Item One. Please know that we do not intend to withdraw our motion to dismiss. With respect to the remaining points under item one, I admit I am a bit turned around. Based on your email correspondence yesterday, I was under the impression that you have not filed a response to our 5.29.25 motion to dismiss. Is this inaccurate? This email insinuates that you have filed a response, however, I do not see a responsive pleading on file. If you have filed a response to our motion to dismiss, please forward that to us. Otherwise, whether you received our Motion to Dismiss through the e-filing system, you now have that in your possession. My correspondence yesterday was intended to provide you with additional time to file a response as needed. However, if you do not wish to file a response that is your prerogative.

Item two is not directed to Mr. Freedberg, and we will not respond.

Item three. We are not aware of whether Mr. Six is represented by counsel.

Item four. You have been repeatedly admonished for your attempts to paint Mr. Freedberg’s expert reports as fraudulent, or otherwise invalid. Mr. Freedberg lawfully relied upon the information provided to him by his clients.

Item five. We do not know whether Ms. Laplum has counsel.

Regards,



Ryan P. Dunn
Attorney
Ryan.Dunn@lewisbrisbois.com
T: 720.292.2053 F: 303.861.7767

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From: Charles Bell <bell@partnersandbell.com>

Sent: Friday, June 20, 2025 11:03 AM

To: John Palmeri <jpalmeri@grsm.com>; William Dewey, <wdewey@grsm.com>; Nelissa Milfeld <milfeldlaw@gmail.com>; Wiens, Adam <Adam.Wiens@lewisbrisbois.com>; Dunn, Ryan <Ryan.Dunn@lewisbrisbois.com>

Subject: Formal Notice and Request for Immediate Action – Case No. 25CV80 PURSUANT TO C.R.E. 408

EXTERNAL

Counsel,

As you are all well aware, the coordinated effort to withhold critical information from me material that directly impacted the outcome of the June 11th hearing is well documented. Once again, silence and non-response are being used as a defense strategy. In this context, that is not just unethical it is abusive. This pattern will be made fully clear in upcoming filings and, if necessary, to the appropriate oversight bodies.

You all are on notice, that any more attempts to delay communication by relaying on Snail mail only will be noted. This is in addition with the notice now in front of the court.

It should also be noted a direct request on June 4 to Mr. Dunn and Mr. Wiens regarding their legal position in relation to Mr. Freedberg, I received no response. I only learned yesterday that a motion to dismiss had even been filed.

I still no not have any disclosure to the court in regards to Freedberg's representation and "assumptions" will not longer be acceptable in any response.

Like this done by 2pm to avoid formal notification to oversight committees.

Item one to address

Mr. Dunn and Mr. Wiens, I ask that you either withdraw your pending motion immediately or advise the Court that you are willing to accept a ruling based on the objections already filed. Ryan said he would not object that it is note acceptable, any more delay in addressing this directly with the court will be noted.

If you choose not to cooperate then, please respond to as why.

Notice

Please be advised that I intend to include the following question in upcoming formal discovery:

Identify all individuals who requested, instructed, or suggested that you or your firm delay the filing of any pleading, motion, or response in Case No. 25CV80, including the date, substance of the request, and the party on whose behalf it was made.

If your clients or co-counsel directed or influenced the timing of your filings in any way, I respectfully suggest you preserve all related communications and billing entries. This issue is material and will be reviewed in the context of procedural fairness, pattern of obstruction, and ethical compliance.

Item two to address

Please confirm whether your firm, Ms. Glassman, or any of your clients have current contact information or knowledge of the whereabouts of Nelissa Milfeld, who has been identified as a material witness and defendant in Case No. 25CV80.

Please confirm whether Ms. Milfeld has been made aware of these civil proceedings and her potential role as a witness and/or defendant.

If Ms. Milfeld is in communication with your firm or operating under your direction, I request that you either:

- Accept service on her behalf, or
- Provide a valid address for lawful service under C.R.C.P. 45.

Failure to respond or concealment of this information may be addressed through a formal motion to compel and request for sanctions under C.R.C.P. 26(e), C.R.C.P. 37, and Colo. RPC 3.4(a).

Item three to address

Mr. Six, another key witness, did not respond to his subpoena.

Q: Do any of you know whether he has counsel, and if so, who that is? If not, please ask your clients.

Failure to respond or concealment of this information may be addressed through a formal motion to compel and request for sanctions under C.R.C.P. 26(e), C.R.C.P. 37, and Colo. RPC 3.4(a).

Item four to address

All versions of the expert reports, including the “serve-only” version, relied on financial data from a company I solely own and was used with out my permission. So everyone is very clear I have owned 100% of toolstudios, llc an Alyson Varvel (formerly Bell was a w2 employee.

In the most recent report, Mr. Freedberg made the following claim:

“Our analysis utilized accounting and income tax information **provided by Tool Studios, LLC and Charles Bell** during the years ended December 31, 2019 through December 31, 2023, and the trailing twelve months ended October 31, 2024.”

The source of all data used in all reports was Provided by Ms. Glassman’s office beginning Feb 7th, 2023. These experts where never disclosed.

February 7, 2023

“ML Confer with CEG; Review email and upload documents provided by J. Harkness in Dropbox; Provide Dropbox link to Alyson, E. Six, and N. Milfeld; Forward engagement letter to Alyson”

I have never authorized the use of any of my company’s financial data by Mr. Freedberg, Mr. Six, or Six Consulting LLC ever.

Attached are letters sent to apporate parties and wil be served shortly.

Item Five to address

Mr. Laplum, another key witness, did not respond to his subpoena and Ms. Glassman once again choose to not respond and noted. So I wam asking her councel.

Q: Do any of you know whether she has counsel, and if so, who that is? If not, please ask your clients.

Failure to respond or concealment of this information may be addressed through a formal motion to compel and request for sanctions under C.R.C.P. 26(e), C.R.C.P. 37, and Colo. RPC 3.4(a).

Note: what os Freviolus is you using anything related to employee or client protection are objected to as we are dealing in all cases with Fraud upon the court.

Conclusion

I want you all out of my life and if you do not start with good faith discussions individually or collectively immediately then this will become a very public matter.

As I have stated the actions of your clients are calculated and executed in a manner that has a ver high probability of not being a one time deal. The media release includes a call to action for public support for the truth.

ADA NOTICE – Disability Rights and Procedural Integrity

ADA NOTICE – Disability Rights and Procedural Integrity

As previously disclosed to the Court, I am proceeding under documented ADA accommodations related to my disability. Any continued efforts to exploit, weaponize, or delay this process by targeting or mischaracterizing those accommodations—directly or indirectly—will be noted as part of the record.

Your prior conduct, including strategic non-responsiveness and courtroom behavior that amplified my cognitive symptoms, has already had a documented impact. Should this pattern persist, I will reserve all rights to seek relief and formal recourse under the Americans with Disabilities Act, 42 U.S.C. § 12101 et seq., and applicable state protections.

You are hereby placed on notice.

CONFIDENTIAL SETTLEMENT COMMUNICATION – PURSUANT TO C.R.E. 408

This message is being sent solely for the purpose of exploring potential settlement and resolution. Nothing contained herein shall be construed as an admission of liability, waiver of claims, or alteration of any legal or factual positions. This communication is protected under Colorado Rule of Evidence 408 and may not be disclosed to the Court or used for any purpose outside of good faith settlement discussion.

Should you wish to initiate a confidential dialogue to resolve this matter, I remain open to discussion. Otherwise, I will proceed to litigation and public transparency in full accordance with Colorado law and the rules governing professional conduct.

Sincerely,

Charles Bell
210 Emery Street Unit 12
Longmont Co, 80501
303.931.6101

Be Curious.

Next Chapter of *ToolStudios*

Notice: This communication (including any attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. §§ 2510–2521, and is confidential and intended solely for the use of the individual or entity to whom it is addressed. If you are not the intended recipient, or believe you may have received this message in error, you are hereby notified that any review, dissemination, distribution, or copying of this communication is strictly prohibited. Please notify the sender immediately and delete all copies of the original message. Thank you.

From: Wiens, Adam Adam.Wiens@lewisbrisbois.com 
Subject: RE: Good Faith - Records Demand, OARC Complaint, and Notice of Intent
Date: April 23, 2025 at 11:36 AM
To: Charles Bell bell@partnersandbell.com
Cc: Dunn, Ryan Ryan.Dunn@lewisbrisbois.com, eric@sixconsultingllc.com



Mr. Bell,

You have no standing to bring any claims against Mr. Freedberg because he owes you, among other things, no duties in contract or common law. Thus, any lawsuit you would file would be frivolous and groundless. If filed, please be advised we will seek dismissal of any and all claims and seek an award of our attorney fees and costs in defending a groundless lawsuit. I would highly recommend you confer with counsel before filing claims directly against Mr. Freedberg, who is simply hired by your ex-wife's counsel to offer opposing expert opinions.

Likewise, we have no obligation to provide you documents. The document request you have made should be made in the divorce proceeding to Mrs. Glassman. As the Boulder District Court recently admonished you on, you appear to be deeply confused on the issues and rules applicable to the various proceedings you have embarked upon. It appears you continue to do this despite the Court's recent warnings.

As we have stated before, we are preparing our response to the **DORA complaint you filed against Mr. Freedberg**, we are not involved in the divorce proceeding. Any disputes or disagreements you have with Mr. Freedberg's expert opinions should be dealt with in the divorce proceeding and decided by the Judge assigned to that matter.

Kind regards,

Adam



Adam B. Wiens
Denver Administrative Partner | Co-Chair, Architects & Engineers Practice
Adam.Wiens@lewisbrisbois.com

T: 720.548.3957 F: 303.861.7767 M: 303.590.4828

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From: Charles Bell <bell@partnersandbell.com>
Sent: Sunday, April 20, 2025 11:12 AM
To: Wiens, Adam <Adam.Wiens@lewisbrisbois.com>
Cc: Dunn, Ryan <Ryan.Dunn@lewisbrisbois.com>; eric@sixconsultingllc.com
Subject: Good Faith - Records Demand, OARC Complaint, and Notice of Intent

EXTERNAL

Adam & Ryan

From: Dunn, Ryan Ryan.Dunn@lewisbrisbois.com 
Subject: RE: Request for your motion to dismiss – Bell v. Freedberg et al. (Case No. 25CV80)
Date: June 19, 2025 at 10:20 AM
To: Charles Bell bell@partnersandbell.com
Cc: Wiens, Adam Adam.Wiens@lewisbrisbois.com



Mr. Bell,

Please find attached our Motion to Dismiss and related exhibits in case no. 2025CV00080, filed via e-service on 5.29.25. As to your question regarding service, I had this motion filed using the traditional e-filing method per my standard operating procedure. It was not my intent to obstruct this process in any way. We are happy to serve all future documents via email moving forward if that is your preference. Likewise, if you would like to request an extension to file your response to our Motion to Dismiss, we are not opposed. Regarding your earlier line of questioning about our filings in the DORA matter, those responses were filed via email, as that is the standard method for filing in that venue. With respect to conferral in the instant matter, Mr. Wiens advised you of our intent to file a Motion to Dismiss this matter should you choose to file a complaint via email on Wednesday April 23, that email is attached above for your review.

Additionally, just to clarify a few things, I did not see an order from the Court mandated email service, and it appears that you have filed several filings in both this case and the underlying dissolution of marriage case. Do you not receive notice of filings through CCES? Have the parties in the underlying dissolution of marriage case, the motion to modify matter, and the Court of Appeals matter been serving you via email?

Finally, with respect to the Trial noted in your email below, the Court has not set a trial date in this matter. I remind you that Adam and I are not representing any parties in dissolution of marriage matter nor its motion to modify hearings, or the Court of Appeals matter. We represent Mr. Freedberg in this matter, 2025CV00080, and the DORA matter, complaint no. 2025-1756.

Regards,



Ryan P. Dunn
Attorney
Ryan.Dunn@lewisbrisbois.com
T: 720.292.2053 F: 303.861.7767

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From: Charles Bell <bell@partnersandbell.com>
Sent: Thursday, June 19, 2025 8:40 AM
To: Dunn, Ryan <Ryan.Dunn@lewisbrisbois.com>
Cc: Wiens, Adam <Adam.Wiens@lewisbrisbois.com>
Subject: Request for your motion to dismiss – Bell v. Freedberg et al. (Case No. 25CV80)

EXTERNAL

If you guys can send over your motion to dismiss as soon as possible, and provide me any insight or information on why it was not delivered through appropriate channels when it was drafted.

It should be noted that in all previous issues, including your Dora complaint you confired via electronic email, but in this case you chose not to. The timing of your motion and the trial.

Look forward to clearing this up quickly.

Please respond by noon today.

Charles R. Bell
Creative Director/Advisor
D: 303.931.6101
O: 303.652.8353

On Jun 18, 2025, at 1:11 PM, Charles Bell <bell@partnersandbell.com> wrote:

On Jun 18, 2025, at 11:02 AM, Dunn, Ryan <Ryan.Dunn@lewisbrisbois.com> wrote:

Hello Charles,

Adam and I represent Mr. Freedberg in the Boulder County Matter entitled *Charles R. Bell v. Jay E. Freedberg et al.* (Case No. 2025CV00080), as evidenced by our 5.29.25 Motion to Dismiss filed on Mr. Freedberg's behalf, in addition to the ongoing DORA matter. We do not represent Mr. Six or Six Consulting LLC concerning any matters arising from this case.

Regards,

Ryan P. Dunn
Attorney
Ryan.Dunn@lewisbrisbois.com
T: 720.292.2053 F: 303.861.7767

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<mansfield-certification-plus-badge-color-2023-2024-v2(1)resized_37645725-83ca-4f0d-a1da-4223c37b12f8.png>

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From: Charles Bell <bell@partnersandbell.com>
Sent: Wednesday, June 18, 2025 9:57 AM
To: Wiens, Adam <Adam.Wiens@lewisbrisbois.com>; Dunn, Ryan <Ryan.Dunn@lewisbrisbois.com>
Subject: Request for Representation Confirmation – Bell v. Freedberg et al. (Case No. 25CV80)

EXTERNAL

Dear Mr. Dunn and Mr. Wiens,

I am writing to confirm the current scope of your representation in **Case No. 25CV80 – Bell v. Freedberg, Glassman, and Milfeld**, now pending before Division 2 of the Boulder County District Court.

As you are aware, I have submitted service and Rule 26 disclosures in accordance with the Colorado Rules of Civil Procedure. At this time, I respectfully request clarification on the following:

1. **Do you currently represent Mr. Jay Freedberg** in Case No. 25CV80?
2. **Do you or your firm represent Mr. Eric Six** or Six Consulting LLC with regard to any matters arising from this case?

Please note that I am proceeding under **ADA accommodations** and **maintaining** a clear conferral record as required under **C.R.C.P. 121**. If you are not **representing** either party in the civil matter at this time, I respectfully ask that you confirm as much so I can proceed

accordingly with notice and service.

In the past you have stated “Only Dora Issue” but then Ryan said if I got an attorney you would be willing to talk”

Thank you in advance for your attention to this request.

Respectfully,

Charles R. Bell

210 Emery Street Unit 12

Longmont, CO 80501

bell@partnersandbell.com

303.931.6101

Finalized M2D - 5.29.25.pdf 	Draft OARC Complaint.pdf 	Freedberg 26a2 Certificate.pdf 
Freedberg Report.pdf 	Order Re Motion to Compel Expedited Responses to... 5.5 MB 	Order Re Status Request and Order re Issuance of Subpoenas... 
4.23.25 Email re Notice of Intent to File Complaint.pdf 		

From: Wiens, Adam Adam.Wiens@lewisbrisbois.com 
Subject: RE: URGENT - Inquiry Regarding April 16 Submission of Expert Report by Ms. Glassman – Bell v. Bell (2022DR30458)
Date: April 19, 2025 at 3:06 PM
To: Charles Bell bell@partnersandbell.com, Dunn, Ryan Ryan.Dunn@lewisbrisbois.com



Mr. Bell,

I don't think you understand, we have not engaged Mr. Freedberg to offer expert reports and we are not involved in the Boulder District Court matter in any way. What Mrs. Glassman files or does with her expert in the representation of her client, your ex-wife, does not involve us. We tried to explain this exhaustively on our call last week. While we cannot provide you legal advice, if you have issues with Mrs. Glassman's strategies in the divorce case, you will have to challenge those in that Court or discuss how to proceed in the divorce action with your own counsel if you have one.

To reiterate our statements to you, we are engaged to represent Mr. Freedberg regarding the DORA complaint you filed against him and to possibly defend any further actions you take against Mr. Freedberg which we don't think you would have standing to pursue anyway. We are happy to discuss matters related to your DORA complaint, but what continues to happen in the divorce case does not concern us. We hope this again provides some clarification for you.

Kind regards,

Adam



Adam B. Wiens
Denver Administrative Partner | Co-Chair, Architects & Engineers Practice
Adam.Wiens@lewisbrisbois.com

T: 720.548.3957 F: 303.861.7767 M: 303.590.4828

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From: Charles Bell <bell@partnersandbell.com>
Sent: Thursday, April 17, 2025 1:01 AM
To: Wiens, Adam <Adam.Wiens@lewisbrisbois.com>; Dunn, Ryan <Ryan.Dunn@lewisbrisbois.com>
Subject: URGENT - Inquiry Regarding April 16 Submission of Expert Report by Ms. Glassman – Bell v. Bell (2022DR30458)

EXTERNAL

Dear Mr. Dunn and Mr. Wiens,

After spending way too much time figuring out why your client would pull such a stunt, I realize that it was likely an effort by Glassman to shield Jay from cross-examination and expose them all to fraud in court.

I'm writing as a courtesy, though frankly, I shouldn't have to. What happened yesterday — with Ms. Glassman submitting a placeholder claiming Mr. Freedberg's report had been filed, then quietly uploading it via "Serve Only" — reflects exactly the kind of conduct that has defined this case.

It's not just procedurally defective — it's deceptive. The Court never received the report. As of 12:01 a.m. today, no public Rule 26 expert disclosure has been filed, which means the report is untimely and inadmissible under Colorado Rules of Civil Procedure 16.2(g)(5) and 26(a)(2)(B). You know that. And she knows that.

But more concerning is the fact that the report itself — if Mr. Freedberg did in fact authorize it — doubles down on the exact same mistakes that prompted my Rule 60(d)(3) motion in the first place. It fails to address over \$99,000 in challenged add-backs. It repeats valuation assumptions that have already been exposed. It presents known errors as if nothing has happened, including filling it 5 days late.

If your client authorized this, he's now squarely aligned with a narrative of intentional misrepresentation. If he didn't authorize it, then you're in a position to correct the record — and I suggest you do. **Quickly.**

I've already filed a Notice of Procedural Irregularity with the Court. I have every right to move to strike the report, pursue discovery into communications and authorship, and seek additional sanctions — but I'd rather not waste more time chasing truth that should be coming from officers of the court.

This isn't just a missed deadline. It's a continuation of a pattern. And at this point, if your client remains silent, he owns it.

You're professionals that I believe have ethics, but right now this move puts you right in bed with Glassman, and I don't see her as your type.

Attached is a **REQUEST FOR DECLARATION OF AUTHENTICITY AND AUTHORIZATION** for you to provide to your client if he is not willing to comply.

Please call me,

Sincerely,

Charles R. Bell

Petitioner, Pro Se

cbell@toolstudios.com

bell@PartnersandBell.com

(303) 931-6101

From: Wiens, Adam Adam.Wiens@lewisbrisbois.com 
Subject: RE: : Notice of Filed Motion and Request for Good Faith Cooperation – Bell v. Bell, 2022DR30458
Date: April 8, 2025 at 9:45 PM
To: Charles Bell bell@partnersandbell.com, Dunn, Ryan Ryan.Dunn@lewisbrisbois.com
Cc: O'Brien, Terri Terri.O'Brien@lewisbrisbois.com

Mr. Bell.

Please be advised we do not represent Mr. Freedberg in any action in the Boulder District Court in Bell v. Bell. At this time, we will not be entering an appearance in that matter as our client is not a party. Any motions you file in that matter, including the motion for relief you attached below, will be for Ms. Bell's counsel to respond to.

That said, we are engaged to represent Mr. Freedberg in the complaint you filed with DORA. We are also engaged to represent Mr. Freedberg to respond to your personal demand and possible negotiations with you to resolve the issues you have with Mr. Freedberg's expert opinion. We plan to represent our client zealously and ethically. Your insinuation that our representation somehow becomes unethical because we understand the facts surrounding his rebuttal report is meritless and I would urge you to refrain from such threats and accusations.

We are happy to have discussions with you so long as such efforts are respectful and meaningful. But your "my way or the highway" posturing will most certainly cause reasonable discussions to break down. If this is agreeable, would you like to set up a zoom meeting next week when I return to the office?

In the meantime, we continue to investigate your complaint filed with DORA and will be responding to that on behalf of our client.

We look forward to having reasonable discussions with you.

Kind regards,

Adam



Adam B. Wiens
Denver Administrative Partner | Co-Chair, Architects & Engineers Practice
Adam.Wiens@lewisbrisbois.com

T: 720.548.3957 F: 303.861.7767 M: 303.590.4828

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From: Wiens, Adam Adam.Wiens@lewisbrisbois.com 
Subject: RE: Request for billing statements - Case No. 2025CV80
Date: February 26, 2026 at 3:03 PM
To: Charles Bell bell@partnersandbell.com
Cc: O'Brien, Terri Terri.O'Brien@lewisbrisbois.com, Seelman, Todd Todd.Seelman@lewisbrisbois.com



Mr. Bell,

All that is relevant here is the Court Order Awarding our fees in the amount of \$4,208.50 and \$84 in costs.

Also attached is the Court Order denying your motion to stay enforcement of the Order Granting Motions for Attorney Fees.

Please advise how you would like to satisfy the Court's Order.

Kind regards,

Adam



Adam B. Wiens
Denver Deputy Managing Partner | Co-Chair, Architects & Engineers Practice
Adam.Wiens@lewisbrisbois.com

T: 720.548.3957 F: 303.861.7767 M: 303.590.4828

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From: Charles Bell <bell@partnersandbell.com>
Sent: Thursday, February 26, 2026 11:21 AM
To: Wiens, Adam <Adam.Wiens@lewisbrisbois.com>
Cc: O'Brien, Terri <Terri.O'Brien@lewisbrisbois.com>; Seelman, Todd <Todd.Seelman@lewisbrisbois.com>
Subject: Request for billing statements - Case No. 2025CV80

EXTERNAL

Council,

I am currently going through my files to get my records organized regarding the outstanding fee orders.

To help me figure out exactly what is owed and work toward settling this, could you please provide a copy of your complete billing statements related to your fee award apparently I either deleted the files or they were never provided.

I just want to make sure I have the full file and the exact numbers in front of me so I can figure this out.

Appreciate getting those today.

Respectfully,

Charles R. Bell
Pro Se, under ADA accommodations
210 Emery Street, Unit 12
Longmont, CO 80501
303-931-6101

ADA Notice:

Charles R. Bell is proceeding pro se under approved ADA accommodations on file with the 20th Judicial District. This communication is submitted with respect to those accommodations pursuant to C.R.C.P. and Section 504 of the Rehabilitation Act.

C.R.E. 408 Settlement Communication Statement

This communication, including all attachments, is made pursuant to Colorado Rule of Evidence 408 and is intended solely for the purpose of exploring potential settlement of civil claims. Nothing contained herein, nor any statements made in the accompanying email or attachments, shall be construed as an admission of liability, fault, or waiver of rights by Charles R. Bell. These materials are submitted exclusively for confidential discussion and resolution of pending disputes, and are not intended for use in litigation, evidentiary proceedings, or as public record. Disclosure, distribution, or reliance upon the contents of this message or attachments for any purpose outside of bona fide settlement negotiations is strictly prohibited. The recipient agrees to treat this material as privileged and protected under C.R.E. 408.

On Feb 10, 2026, at 1:55 PM, Wiens, Adam <Adam.Wiens@lewisbrisbois.com> wrote:

Mr. Bell,

Your offer is rejected. There are literally no bases for you to demand 250K in exchange for you ceasing further frivolous complaints, particularly when your complaints have been dismissed and there is an outstanding Court order for you to pay my client's attorney fees and costs in the Boulder District Court action. We would consider a walk away but you withdrew that offer as I read your email below.

Kind regards,

Adam



Adam B. Wiens
Denver Deputy Managing Partner | Co-Chair, Architects &
Engineers Practice
Adam.Wiens@lewisbrisbois.com

T: 720.548.3957 F: 303.861.7767 M: 303.590.4828

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From: Charles Bell <bell@partnersandbell.com>
Sent: Monday, February 9, 2026 12:37 PM
To: Wiens, Adam <Adam.Wiens@lewisbrisbois.com>
Cc: O'Brien, Terri <Terri.O'Brien@lewisbrisbois.com>
Subject: CRE 408 – Settlement Framework and Required Terms (Including Withdrawal of Reports)

EXTERNAL

Adam,

I am willing to proceed cautiously and professionally. Given what occurred around the June 11 hearing (billing statements/entries, omissions, and subsequent silence), I want any resolution to be clear, final, and fully implemented. I'm prepared to substantiate my concerns if needed, but I agree it is best to stay at a high level unless and until we have a written confidentiality/NDA or term sheet in

place.

This is a confidential settlement communication under CRE 408. The following terms are material between your firm and myself. I am leaving Freedberg off the emails. His relationship with Glassman goes well beyond this case and another reason for caution.

Primary proposal (Payment Resolution-single package):

- 1. Global peace:** Mutual releases and dismissals with prejudice of all claims/complaints/proceedings (current, pending, or future) between the parties, structured to achieve complete finality. Mr. Six dismissals is negotiable.
- 2. Confidentiality + mutual non-disparagement:** including no disclosure of settlement negotiations/terms except as required for implementation, tax/financial advice, insurer reporting, or as required by law/court order.
- 3. Payment:** One-time cost-of-resolution payment of \$250,000 in exchange for a full release.
- 4. Freedberg/Six Consulting reports – withdrawal / no reliance:** As a material term, Mr. Freedberg's reports (and any reliance on them) must be withdrawn from use in 2022DR30458 and any related proceedings. I am open to the mechanism you propose (stipulation, notice of withdrawal, agreed filing, etc.), but the practical outcome must be that the reports are no longer used or relied upon.

Alternative (Walk-away):

If your client(s) and partners prefer a walk-away (no payment) - thought about this more.. it would be to complicated.

Next step: If your client wishes to engage, please send either (i) a short NDA/term sheet covering confidentiality/non-disparagement and permitted disclosures, or (ii) your proposed structure for the releases/dismissals and the method for withdrawing the reports. I will respond promptly.

Respectfully,

Charles R. Bell
Pro Se, under ADA accommodations
210 Emery Street, Unit 12
Longmont, CO 80501
303-931-6101

ADA Notice:

Charles R. Bell is proceeding pro se under approved ADA accommodations on file with the 20th Judicial District. This communication is submitted with respect to those accommodations pursuant to C.R.C.P. and Section 504 of the Rehabilitation Act.

C.R.E. 408 Settlement Communication Statement

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On Feb 9, 2026, at 9:50 AM, Wiens, Adam <Adam.Wiens@lewisbrisbois.com> wrote:

Mr. Bell,

Unfortunately, I am the partner overseeing this matter. Mr. Seelman has nothing to do with this matter. Just so we are clear, my prior communications and responses to your continued claims against my client, all of which have been dismissed, were focused on the claims and defenses and I have never attacked any alleged ADA accommodations. Regardless, your communications will need to be directed to me and Mr. Seelman does not need to be copied. Accordingly, I have removed Mr. Seelman.

That said, so that I can advise my client regarding your email below, please clarify if items 1, 2 and 3(a) are material terms you propose together as a package in one of the settlement options you propose. Thank you.

Adam



Adam B. Wiens
Denver Deputy Managing Partner | Co-Chair, Architects &
Engineers Practice
Adam.Wiens@lewisbrisbois.com

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From: Charles Bell <bell@partnersandbell.com>
Sent: Monday, February 9, 2026 12:37 AM
To: Seelman, Todd <Todd.Seelman@lewisbrisbois.com>
Cc: O'Brien, Terri <Terri.O'Brien@lewisbrisbois.com>; Wiens, Adam <Adam.Wiens@lewisbrisbois.com>; Jay freedberg <jay@freedbergltd.com>
Subject: Final Administrative Notice: Narrow record-position request and notice of imminent filings

EXTERNAL

Mr. Seelman:

This is a confidential settlement communication under CRE 408.

In Mr. Wiens's most recent submission to the Colorado Board of Accountancy, Lewis Brisbois characterizes the June 16, 2023 witness disclosure identifying Mr. Freedberg as 'retained by Petitioner' as a 'typographical mistake,' and cites the July 17, 2023 disclosure as the purported correction. Separately, I provided Mr. Wiens by email a copy of Alyson Varvel's June 16 witness disclosure position and the evidence she provided. Taken together, these items materially strengthen the documented sequence presented in the past.

Given that posture and the evidence your firm has been presented, I am offering a narrow, business resolution to avoid further motion practice, subpoenas, and administrative escalation. I feel both of your clients will agree it is reasonable.

Proposed settlement framework (no admission of liability):

1. Mutual releases and dismissal of all related claims/complaints arising from Mr. Freedberg with prejudice to involvement in 2022DR30458;
2. Confidentiality and mutual non-disparagement; and
3. Either (a) walk-away with each side bearing its own fees and costs, or (b) a one-time cost-of-resolution payment of \$250k in exchange for a full release.

If your firm is willing to engage, then let me know by 2 p.m.

If we are to move forward, my preference is to avoid further direct contact with Mr. Wiens. His prior responses have included personal accusations rather than record-based engagement, which is inconsistent with my ADA accommodations request that communications remain professional and confined to supported factual issues.

Going forward, please route any substantive response through firm management or designated counsel.

Respectfully,

Charles R. Bell
Pro Se, under ADA accommodations

210 Emery Street, Unit 12
Longmont, CO 80501
303-931-6101

ADA Notice:

Charles R. Bell is proceeding pro se under approved ADA accommodations on file with the 20th Judicial District. This communication is submitted with respect to those accommodations pursuant to C.R.C.P. and Section 504 of the Rehabilitation Act.

C.R.E. 408 Settlement Communication Statement

This communication, including all attachments, is made pursuant to Colorado Rule of Evidence 408 and is intended solely for the purpose of exploring potential settlement of civil claims. Nothing contained herein, nor any statements made in the accompanying email or attachments, shall be construed as an admission of liability, fault, or waiver of rights by Charles R. Bell. These materials are submitted exclusively for confidential discussion and resolution of pending disputes, and are not intended for use in litigation, evidentiary proceedings, or as public record. Disclosure, distribution, or reliance upon the contents of this message or attachments for any purpose outside of bona fide settlement negotiations is strictly prohibited. The recipient agrees to treat this material as privileged and protected under C.R.E. 408.

Bell v. Freedberg - Order Awarding Attorney Fees.pdf



DISTRICT COURT, BOULDER COUNTY, COLORADO Court Address: 1777 SIXTH STREET P.O. BOX 4249, BOULDER, CO, 80306-4249	
CHARLES R BELL v. JAY E FREEDBERG et al.	DATE FILED January 22, 2026 8:05 AM CASE NUMBER: 2025CV80
	△ COURT USE ONLY △
	Case Number: 2025CV80 Division: 2 Courtroom:
Order Denying Motion for Stay	

Plaintiff Charles Bell seeks a stay under Rule 62(b) of enforcement of the Order Granting Motions for Attorney Fees. Rule 62(b) allows a trial court to enter a stay when (1) a Rule 59 motion is pending; (2) a rule 60 motion is pending; (3) during the time for filing a notice of appeal; or (4) while a motion to approve a supersedeas bond is pending. None of these criteria are satisfied"there is no Rule 59 or Rule 60 motion filed in this case and the time for filing an appeal has lapsed. Mr. Bell points to other litigation he is involved in in which a Rule 60 motion or appeal is pending, but those collateral matters do not justify a stay of any orders in this matter under Rule 62(b). Mr. Bell has not otherwise identified any circumstances justifying a stay of the Court's order. The motion for stay is therefore denied.

Issue Date: 1/22/2026



MICHAEL KOTLARCZYK
District Court Judge

DISTRICT COURT, BOULDER COUNTY, COLORADO 1777 6 th Street Boulder, Colorado 80302	DATE FILED March 5, 2026 8:51 AM FILING ID: 71E19ADF364AB CASE NUMBER: 2025CV80 COURT USE ONLY
CHARLES R. BELL, Plaintiff, v. JAY E. FREEDBERG, CPA/ABV/CFF; CAROL GLASSMAN, ESQ; and NELISSA MILFELD, ESQ. Defendants.	
Attorneys for Defendant: Carol Glassman GORDON & REES LLP John M. Palmeri, #14252 William G. Dewey, #55930 555 Seventeenth Street, Ste. 3400 Denver, Colorado 80202 (303) 534-5160 jpalmeri@grsm.com wdewey@grsm.com	Case No.: 2025 CV 80 Division: 2
<p align="center">RESPONSE TO PLAINTIFF’S MOTION TO VACATE DISMISSAL PURSUANT TO C.R.C.P. 60(b) (FINAL PARAGRAPH) FOR FRAUD UPON THE COURT AND MOTION FOR IMMEDIATE STAY; OR, IN THE ALTERNATIVE, REQUEST FOR INDICATIVE RULING TO SUPPORT LIMITED REMAND</p>	

Defendant Carol Glassman, through counsel, Gordon & Rees LLP, submits the following Response to Plaintiff’s Motion to Vacate as follows:

Plaintiff filed this lawsuit to collaterally attack the resolution of issues from his domestic relations proceedings. Specifically, he maintains that the expert disclosures from those proceedings constituted fraud upon the court. This Court dismissed Plaintiff’s complaint with prejudice on August 8, 2011. Plaintiff moved to vacate the order of dismissal and confirm fraud upon the court

under C.R.C.P. 60 on October 21, 2024. That same day, he moved to “vacate and unify” under C.R.C.P. 60. The Court denied both motions on October 24, 2025, noting as follows:

The Court dismissed the complaint because (1) it sought to impose liability for statements made in litigation, for which the Defendants are absolutely immune, and (2) it failed to state a plausible claim for relief against the Defendants. In his current motion, Plaintiff argues that “Division 2 is now the court that was misled, because its immunity ruling relied on the very filings shown to be falsified.” Mot. at 2. But the August 11 order did not rely on those filings. Instead, it held that the Defendants are absolutely immune from civil claims for statements in another litigation, regardless of what was contained in the filings. It also held, as an independent basis for dismissal, that the Complaint failed to state plausible claims for relief; this ruling, too, did not rely on the truth or falsity of any documents submitted in other cases.

Order: Motion to Vacate August 11, 2025 Order and Confirm Fraud upon the Court under C.R.C.P. 60(b) (Final Paragraph), at 1 (Oct. 24, 2025).

In this third motion to vacate the order under C.R.C.P. 60, Plaintiff argues that “Defendants procured dismissal in 2025CV80 by presenting a materially inaccurate predicate narrative about expert status and evidentiary posture that prevented this tribunal from testing those predicates through ordinary adversarial mechanisms.” Motion at 3. Specifically, Plaintiff argues that Defendant Glassman falsely represented that the expert report from the underlying litigation “was properly prepared, disclosed, presented, and admitted into evidence in the underlying litigation.” *Id.* at 6. According to Plaintiff, this representation “went to the framework the Court used to dispose of the case and to the procedural mechanisms the Court did not reach.” *Id.* at 9.

The representation that Plaintiff argues was material was relegated to a footnote in Defendant Glassman’s motion. It was not the basis on which Glassman requested dismissal, but an aside denying the substance of the allegations in the complaint. In any event, the Court did not rely on that footnote in dismissing the case. The Court did not even address that footnote in its

order dismissing the case. It held that, even if the allegations were true, Plaintiff could not sustain a cause of action against Defendants.

Plaintiffs' motion should be denied.

Dated this 5th day of March 2026.

GORDON & REES LLP

/s/ William G. Dewey
John M. Palmeri, #14252
William G. Dewey, #55930

ATTORNEYS FOR DEFENDANT
CAROL GLASSMAN

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the above and foregoing was filed and served via the CO-Courts electronic filing and service system this 14th day of July 2025, with service upon pro se plaintiff by electronic mail.

Charles R. Bell
210 Emery Street, Unit 12
Longmont, Colorado 80501
bell@partnersandbell.com

Adam B. Wiens
Ryan P. Dunn
Lewis Brisbois Bisgaard & Smith LLP
1700 Lincoln Street, Ste. 4000
Denver, Colorado 80203

/s/ Linda J. Bustos

1 well as his own messages in GGG.

2 The attorney fees -- it is true that the attorney
3 fees have been high, but Ms. Bell's credible testimony supports
4 the fact that the reason why we're here and the reason why
5 we've gotten to trial is because the parties were unable to
6 reach an agreement. And it's Husband's actions in large part
7 that resulted in that and the failure to do so. Something
8 important to note is that Mr. Bell stated that the Gaddis law
9 firm, in fact, asked for a very large retainer for the trial
10 that was larger than the retainer that Ms. Glassman had
11 requested. And so the Court needs to take into consideration
12 when looking at the reasonableness of the fees and what this
13 case entailed.

14 Don't forget that the reason why we had a second
15 valuation and a rebuttal is because of the disagreement of the
16 first. Mr. Bell requested, through Mr. Gaddis, the second
17 valuation. There was a -- Mr. Bell didn't even agree with
18 that. We got the rebuttal, and here we are. So this has been
19 a case that's been replete with the inability for Mr. Bell to
20 make a decision, his inability to provide answers. And the
21 Court can only look at his deposition and the way he testified
22 and make that finding.

23 THE COURT: I have a question about timeline that
24 really starts with a disclosure. I'm probably 60 to 90 days
25 out on this order because of how much I have on my plate with

DISTRICT COURT, BOULDER COUNTY, COLORADO Court Address: 1777 6th Street, Boulder, CO 80302 Case No. 2022DR30458

AFFIDAVIT OF JOHN W. GADDIS, ESQ.

I, John W. Gaddis, Esq., being duly sworn, state as follows:

- I am an attorney licensed to practice law in the State of Colorado. I previously represented Charles R. Bell (Petitioner) in the matter of *In re Marriage of Bell*, Boulder County Case No. 2022DR30458.
- During the course of my representation, the parties operated under a binding Joint Expert Stipulation appointing Jeremy Harkness as the sole neutral financial expert.
- I have been shown a transcript of the August 2023 permanent orders hearing in which opposing counsel, Carol Glassman, represented to the Court: "*Mr. Bell requested, through Mr. Gaddis, the second valuation.*"
- That statement is factually inaccurate. I never requested a second valuation regarding Mr. Bell's income, nor did I request or consent to the retention of a "rebuttal" expert.
- To the contrary, when the issue of expanding the financial analysis was raised by opposing counsel, I explicitly prohibited the joint expert from rendering an opinion on Mr. Bell's income
- On April 27, 2023, at 4:14 PM, I transmitted an email to Carol Glassman and Jeremy Harkness, stating unequivocally: "*I do oppose Mr. Harkness opining on my client's income*". A true and accurate copy of that communication is maintained in my files.
- At no time during my representation did I authorize, request, or stipulate to a secondary income valuation by Jay Freedberg or any other outside expert.

I declare under penalty of perjury under the law of Colorado that the foregoing is true and correct.

Executed on this ____ day of _____, 2026.

John W. Gaddis, Esq.

DISTRICT COURT, BOULDER COUNTY, COLORADO CASE NO. 2022DR30458
AFFIDAVIT OF JEREMY C. HARKNESS, CPA/ABV

I, Jeremy C. Harkness, CPA/ABV, being first duly sworn under oath, state and depose as follows based upon my own personal knowledge:

- **Engagement:** I am a Director at Causey Demgen & Moore P.C. On or about January 31, 2023, the Court entered an Order Regarding Joint Expert Stipulation, formally retaining me as the sole Joint Expert to perform a business valuation in this matter.
- **Execution of Duties:** I executed my duties pursuant to the Court's Order and issued my valuation report without any restrictions or limitations placed upon the scope of my work by either party.
- **The Comment Period:** The governing Joint Expert Stipulation contained a provision requiring the parties to attempt to resolve problems and/or deficiencies in my report during a designated "comment period" prior to requesting third-party experts to prepare rebuttal reports.
- **No Notification of Deficiencies:** Prior to Co-Petitioner's retention and disclosure of a third-party expert (Jay Freedberg), I was not contacted by Co-Petitioner's counsel to resolve any alleged deficiencies in my valuation methodologies, nor was I informed that a secondary expert was being retained to dispute my findings.
- **No Interaction with Third-Party Expert:** At no time during this litigation did I confer, communicate, or coordinate with Jay Freedberg, CPA/ABV/CFF, regarding his subsequent valuation reports or his adjustments to my financial models.
- **Trial Testimony:** I appeared as a sworn expert witness at the Permanent Orders Hearing on August 23, 2023. I was subsequently released by the Court from my obligations immediately prior to Mr. Freedberg being called to testify.

I declare under penalty of perjury under the law of Colorado that the foregoing is true and correct.

Executed on this ____ day of _____, 2026.

Jeremy C. Harkness, CPA/ABV

STATE OF COLORADO, COUNTY OF BOUDER) .CPA License #0026979

Subscribed and sworn to before me this ____ day of _____, 2026, by Jeremy C. Harkness.

Notary Public My Commission Expires: _____

District Court, Boulder County, State of Colorado 1777 Sixth Street Boulder, Colorado 80302	DATE FILED October 27, 2025 ▲ COURT USE ONLY ▲
Plaintiff: CHARLES R. BELL, v. Defendants: JAY E. FREEDBERG and CAROL GLASSMAN.	
	Case Number: 2025CV80 Division 2 Courtroom H
ORDER GRANTING MOTIONS FOR ATTORNEY FEES	

This Court previously granted Defendants Freedberg's and Glassman's motions to dismiss. Because their motions to dismiss were brought under Rule 12(b) of the Colorado Rules of Civil Procedure, and because the complaint sounded in tort, Defendants are entitled to reasonable attorney's fees under C.R.S. § 13-17-201. Both Defendants filed timely requests for fees and costs. The Court therefore awards both Defendants attorney fees, subject to the adjustments detailed below.

BACKGROUND

Mr. Bell filed his complaint on April 28, 2025. The complaint asserted claims for fraudulent misrepresentation, professional negligence, civil conspiracy, abuse of process, and unjust enrichment.

Ms. Glassman filed a motion to dismiss on May 27 and Mr. Freedberg filed a motion to dismiss on May 29. The motions sought dismissal of the complaint under Colorado Rule of Civil Procedure 12(b).

On August 11, 2025, the Court granted both motions to dismiss. The Court held (1) that Defendants were absolutely immune from suit under the litigation privilege and (2) that the complaint failed to state a claim on which relief can be granted.

In its Order, the Court authorized the Defendants to file a motion for attorney fees within 21 days. Both Mr. Freedberg and Ms. Glassman filed motions seeking fees and costs under § 13-17-201. Mr. Bell's response, though labeled as a response only to Defendant Glassman's motion, contained argument with respect to both motions, and so the Court treats it as a response to both motions. The Court has now considered the motions, response, and Defendant Glassman's reply, as well as applicable legal authority in reaching its ruling here.

LEGAL STANDARD

Under § 13-17-201, "an award of attorney fees is mandatory when a trial court dismisses [a tort] action under C.R.C.P. 12(b)."¹

A court's initial estimate of reasonable attorney fees is determined by calculation of the "lodestar" amount.² The lodestar amount "represents the number of hours

¹ *Barnett v. Denver Pub. Co., Inc.*, 36 P.3d 145, 148 (Colo. App. 2001).

² *Id.*

reasonably expended multiplied by a reasonable hourly rate and carries a strong presumption of reasonableness.”³ The court further “should exclude from the initial lodestar calculation hours that were not reasonably expended.”⁴ Deductions should be made for “hours that are excessive, redundant, or otherwise unnecessary.”⁵

“In awarding attorney fees, the trial court may consider, among other circumstances, the amount in controversy, the length of time required to represent the client effectively, the complexity of the case, the value of the legal services to the client, and awards in similar cases.”⁶ The court may also adjust the lodestar amount by applying the factors set forth in Rule 1.5 of the Colorado Rules of Professional Conduct, including the degree of success achieved.⁷

The “party seeking attorney fees bears the burden of proving by a preponderance of the evidence its entitlement to such an award.”⁸

³ *Id.*

⁴ *Payan v. Nash Finch Co.*, 2012 COA 135M, ¶ 23 (quoting *Hensley v. Eckerhart*, 461 U.S. 424, 434 (1983)).

⁵ *Id.* (quoting *Hensley*, 461 U.S. at 434).

⁶ *Tallitsch*, 926 P.2d at 147.

⁷ *Id.*

⁸ *Crow v. Penrose-St. Francis Healthcare Sys.*, 262 P.3d 991, 998 (Colo. App. 2011).

ANALYSIS

I. Freedberg's motion for fees and costs.

Freedberg seeks \$4,208.50 in attorney fees.⁹ That is based on 12 hours billed at \$290 per hour by attorney Adam Wiens and 3.1 hours by attorney Ryan Dunn at \$235 per hour. The Court finds that both of these hourly rates are reasonable for civil litigation in the Boulder region. The Court has also reviewed the billing invoices and finds the time spent was reasonably incurred. Specifically, the Court finds that fifteen hours to review a case, confer with the client, prepare a motion to dismiss and reply brief, and obtain complete dismissal of a claim is an efficient use of attorney time. The Court therefore calculates the lodestar amount as \$4,208.50. That amount carries a strong presumption of reasonableness.

The only argument offered by Mr. Bell concerning Freedberg's motion is that Freedberg's counsel never filed an entry of appearance and then filed an objection (presumably the motion to dismiss) without conferring.¹⁰ While Mr. Bell is correct that Freedberg's counsel never filed an entry of appearance, that has no bearing on the motion for attorney fees. Rule 121, § 1-1(1) recognizes that an attorney may appear in a matter either by filing an entry of appearance or by signing a pleading. Freedberg's counsel effectively appeared by signing the motion to dismiss, complete with all the

⁹ See Ex. A to Freedberg Mot.

¹⁰ Resp. at 2.

contact information required by Rules 10 and 11. The Court thus finds nothing deficient in how Freedberg's counsel appeared in this action. Nor does the Court find any problem with the conferral, or any grounds for refusing to award fees based on the adequacy of conferral. Freedberg's motion to dismiss contained a certificate of conferral and Mr. Bell's response raised no objection to the adequacy of conferral.

The Court therefore finds no basis to depart from the lodestar calculation and awards Mr. Freedberg \$4,208.50 in attorney fees. Mr. Freedberg also seeks reimbursement of \$84 in costs. These are substantiated in the invoices attached to the motion and represent filing fees associated with this case, and so are awarded in full.¹¹

II. Glassman's motion for fees and costs.

Glassman seeks \$15,862 in attorney fees.¹² That is based on 59.6 hours billed at \$220 per hour by attorney William Dewey and 10 hours by attorney John Palmeri at \$275 per hour. The Court finds that both of these hourly rates are reasonable for civil litigation in the Boulder region.

Mr. Bell objects to certain redactions appearing on the attorneys' fee statements. The Court agrees that some of the redactions make it impossible to determine what work was done and even whether the work was for this matter. For example:

¹¹ Two of the charges appear to be related to obtaining a filing history of the underlying divorce case. The Court finds those charges were reasonable and necessary for defending this action, which alleged wrongdoing in the underlying divorce case.

¹² See Ex. A to Freedberg Mot.

05/16/25	Analyze [redacted]	WGD	2.20
05/19/25	Review and analyze [redacted]	JMP	3.80
05/20/25	Analyze [redacted]	WGD	0.20
05/20/25	Analyze [redacted]	WGD	0.20

Entries like the above provide the Court with no basis to determine what work was performed, whether it was connected to this case, and whether it was reasonable.

“Analyze [redacted]” is simply insufficient for the Court to determine what the lawyers did. Altogether, 8.4 hours (at \$220) were claimed by Mr. Dewey with such unsupported hour claims and 3.2 (at \$275) hours were claimed by Mr. Palmeri. The Court will subtract those amounts, totaling \$2,728 from the lodestar calculation.

The Court also concludes that the time spent drafting the motion to dismiss and reply was excessive. While lawyers may work at different paces, it is notable that Glassman’s attorneys spent more time just drafting the motion and reply (20 hours) than Freedberg’s attorneys spent for their entire representation (15.3 hours). The Court therefore concludes that a 25% reduction of the hours spent drafting, at Mr. Dewey’s rate (who did most all of the drafting) is appropriate. The Court therefore deducts an additional \$1100 ($\220×5) from the initial lodestar calculation.

Applying these two deductions, the Court calculates an initial lodestar amount of \$12,034.

Mr. Bell objects to the award of attorney fees here based on insufficiently detailed conferral. Even if that created grounds to deny or reduce an attorney fee award, the Court finds that adequate conferral occurred here. Counsel sent Mr. Bell a conferral email stating that they would be filing a motion to dismiss and seeking fees, and to let him know if he would be willing to dismiss the lawsuit. Counsel responded to a subsequent email from Mr. Bell seeking further information about the motion to dismiss—including identifying the “exact Rule 12 grounds” and “fee authority”—by citing Rule 12(b)(5) and stating they would seek fees under §§ 13-17-102 and -201.¹³ The Court finds this conferral was adequate, particularly in light of the circumstances of this case, where Mr. Bell has accused prior lawyers who litigated against him of fraud and professional misconduct. The Court therefore sees no basis to reduce the fee award based on inadequate conferrals.

Mr. Bell also argues that § 13-17-201 doesn't apply because that statute only applies to tort actions dismissed under Rule 12(b). Mr. Bell accurately recounts the law, but the Court has little trouble concluding that this was a tort action. “When a party has pleaded both tort and non-tort claims, a court must determine, as a matter of law, whether the essence of that party's action was one in tort, in order to ascertain if section

¹³ See Bell Resp. at 3.

13-17-201 applies.”¹⁴ “In doing so, the court should focus on the manner in which the claims were pleaded.”¹⁵

Here, four of the five claims pled were tort claims. The fifth, for unjust enrichment, is a quasi-contractual claim. But the unjust enrichment claim appears to have been mispleaded—as the Court previously held, Mr. Bell did “not allege that [any] benefits were given to the Defendants at his own expense,” an essential element of an unjust enrichment claim.¹⁶ In any event, the essence of the action is in tort. According to the “Introduction and Case Theme” in Mr. Bell’s Complaint:

This civil action arises from serious breaches of professional duty by licensed attorneys and a certified forensic accountant during the course of Colorado domestic relations litigation. Defendants engaged in coordinated acts of financial misrepresentation, concealment of material evidence, and abuse of judicial process, directly impairing the fairness of the proceedings and causing substantial harm to the Plaintiff.¹⁷

Breach of professional duty, misrepresentation, and abuse of process are all torts. Mr. Bell’s theory is essentially that in the related divorce action, Defendants (who had no contractual relationship with Mr. Bell) breached duties they owed to him, causing him harm. This is fundamentally a tort theory.¹⁸ The Court therefore concludes that the

¹⁴ *Gagne v. Gagne*, 2014 COA 127, ¶ 81.

¹⁵ *Id.*

¹⁶ 8/11/25 Order at 10.

¹⁷ Compl. at 2.

¹⁸ See, e.g., *Daugherty v. Allstate Ins. Co.*, 55 P.3d 224, 228 (Colo. App. 2002) (“The basic elements of any tort claim are: (1) the existence of a duty; (2) a breach of that duty; and (3) an injury caused by the breach of duty.”), *superseded by statute on other grounds*, 169 P.3d 139 (Colo. 2007).

essence of this case is in tort and so fees are available—indeed, are mandatory—under § 13-17-201.

Mr. Bell also requests that the Court hold an “evidentiary hearing under C.R.S. § 13-17-102, where Petitioner may present evidence of documented fraud and disclosure misconduct.”¹⁹ The Court denies the request, for two reasons. First, no party is seeking fees under § 13-17-102. Second, while the Court could still order a hearing for the fees sought under § 13-17-201, the Court finds that it would not be helpful to do so. The Court has discretion to determine “that a hearing would materially assist the court in ruling on the motion.”²⁰ In deciding whether to hold a hearing, the Court should consider “the amount of fees sought, the sufficiency of the disclosures made by the moving party in its motion and supporting documentation, and the extent and nature of the objections made in response to the motion.”²¹ Considering these factors, the Court does not believe a hearing would be useful. For one, the fees associated with conducting such a hearing would likely exceed any amounts excluded. Additionally, while the Court did find some insufficiency with respect to Glassman’s supporting documentation, a hearing would only work to Mr. Bell’s detriment, because the Court

¹⁹ Bell Resp. at 6.

²⁰ C.R.C.P. 121, § 1-22(2)(c).

²¹ *Id.*

held that insufficiency against Glassman and reduced the requested fees accordingly.²²

Finally, the reason for which Mr. Bell wants a hearing—to present evidence of fraud and disclosure misconduct—is entirely inappropriate for a hearing on attorney fees. That would relate to the underlying claims, for which Defendants are immune and which have no business being litigated in this Court.

The Court concludes that no deductions from the presumptively reasonable lodestar amount are required. Defendants' motion achieved total success and so provided great value to the client. The Court acknowledges that the award to Glassman's attorneys is larger than Freedberg's attorneys, but the discrepancy can be explained by (1) different attorneys can have different working styles, both of which are reasonable, and (2) Glassman's attorneys opted to respond to more of Mr. Bell's filings than Freedberg's attorneys did, such as Mr. Bell's motion to strike an expert report and request for a Rule 702 hearing and a motion to compel subpoena compliance. The Defendants made different strategic choices with respect to those filings, with Glassman choosing to respond and Freedberg choosing not to respond. Glassman's choice generated higher overall billing, but it was a reasonable strategic choice to respond to Mr. Bell's filings. The Court therefore awards \$12,034 in attorney fees to Glassman.

²² Glassman opposes the request for a hearing.

Glassman also seeks costs of \$115.64. The Court has reviewed the claimed costs and finds that they were reasonably and necessarily incurred, and so awards them.

CONCLUSION

The Court awards Defendant Freedberg \$4,208.50 in attorney fees and \$84 in costs. The Court awards Defendant Glassman \$12,034 in attorney fees and \$115.64 in costs.

Dated: October 27, 2025

BY THE COURT



Michael Kotlarczyk
District Court Judge

LEWIS BRISBOIS BISGAARD & SMITH LLP

LAWYERS
SUITE 4000
633 W. FIFTH STREET
LOS ANGELES, CALIFORNIA 90071
TELEPHONE (213) 250-1800

FEDERAL I.D. NO 95-3720522

May 2, 2025
Invoice No. 4390802

biBERK
P.O. Box 113247
Stamford, CT 06911

Attn: **Robert Farrell**
Senior Claims Representatives

Re: **Bell, Charles v. Freedberg, Jay Edward**
Our File No.: **048120-000174**
Claim Number: **N9PL190318-003-003-003**

Current Fees through 03/31/25		290.00
Total Current Charges	USD \$	290.00

***** Please return this page with your payment. *****

If you have questions regarding payments or open invoices, please contact remittance@lewisbrisbois.com.

We value your business and appreciate your attention to this matter.

Wire Instructions

City National Bank
Account Name: Lewis Brisbois Bisgaard & Smith, LLP-Attorney Operating Account
(Receivables)
Account No.: 210903526
ABA Routing No.: 122016066
SWIFT A/C No.: CINAUS6L

All Charges in US Dollars

LEWIS BRISBOIS BISGAARD & SMITH LLP

LAWYERS
SUITE 4000
633 W. FIFTH STREET
LOS ANGELES, CALIFORNIA 90071
TELEPHONE (213) 250-1800

FEDERAL I.D. NO 95-3720522

biBERK
P.O. Box 113247
Stamford, CT 06911

May 2, 2025
Invoice No. 4390802

Attn: Robert Farrell
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Our File No.: 048120-000174
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Total Current Charges	USD \$	290.00

If you have questions regarding payments or open invoices, please contact remittance@lewisbrisbois.com.

We value your business and appreciate your attention to this matter.

LEWIS BRISBOIS BISGAARD & SMITH LLP

LAWYERS
SUITE 4000
633 W. FIFTH STREET
LOS ANGELES, CALIFORNIA 90071
TELEPHONE (213) 250-1800

FEDERAL I.D. NO 95-3720522

File Number
ABW

048120-000174

bIBERK
Bell, Charles v. Freedberg, Jay Edward

05/02/25
4390802
Page 1

Date	Atty	Description of Services Rendered	Hours
03/21/2025	Wiens, A.	Read and analyze Complaint, Demand and SBA letter and outline next steps	0.6
03/21/2025	Wiens, A.	Communications with Jay Freedberg regarding Complaint, Demand and next steps in response to SBA letter	0.2
03/21/2025	Wiens, A.	Communications with Jay Freedberg regarding investigation of claims and response to complaint	0.2

Recap of Services	Hours	\$ Effective Rate	\$ Fees
Adam Wiens	1.0	290.00	290.00
Total	1.0		\$ 290.00

Total Fees			290.00
Total Current Charges		\$	290.00

LEWIS BRISBOIS BISGAARD & SMITH LLP

LAWYERS
SUITE 4000
633 W. FIFTH STREET
LOS ANGELES, CALIFORNIA 90071
TELEPHONE (213) 250-1800
FEDERAL I.D. NO 95-3720522

File Number ABW **048120-000174** **bIBERK**
Bell, Charles v. Freedberg, Jay Edward **08/04/25**
4473500
Page **1**

Date	Atty	Description of Services Rendered	Hours
04/01/2025	Dunn, R.	Analysis of strategy regarding our response to Plaintiffs' claims against Jay Freedberg.	0.5
04/02/2025	Wiens, A.	Communications with Jay Freedberg regarding documents supporting Mr. Bell arguments in complaint and response to same	0.4
04/02/2025	Dunn, R.	Communicate with Claimant Charles Bell via email regarding his initial complaint and demand letter, and to advise him of our retention by Jay Freedberg.	0.2
04/03/2025	Dunn, R.	Initial introduction call with client Jay Freedberg to discuss Mr. Bell's complaint, his underlying forensic accounting methodology, and develop a strategy for our response and defense of claims.	1.0
04/07/2025	Dunn, R.	Received call from Plaintiff Charles Bell regarding his intended Motion under C.R.C.P. 60(b) to introduce a claim for fraud upon the Court against Mr. Freedberg.	0.2
04/08/2025	Dunn, R.	Analyze Documents provide by Plaintiff Charles Bell in preparation for 4.10.25 call with Jay Freedberg.	0.7
04/10/2025	Dunn, R.	Analysis of Mr. Bell's Complaint against Mr. Freedberg and recent filings in the underlying Dissolution matter (2022DR30458) in preparation for our 4.10.25 status call.	0.5
04/15/2025	Wiens, A.	Prepare detailed status report to Robert Farrell regarding investigation status and Bell demand	0.4
04/15/2025	Wiens, A.	Read demand letter from Mr. Bell and outline recommendations regarding same	0.4
04/15/2025	Wiens, A.	Communications with Jay Freedberg regarding Bell demand and status of investigation	0.2

Recap of Services	Hours	\$ Effective Rate	\$ Fees
Ryan P. Dunn	3.1	235.00	\$728.50
Adam Wiens	1.4	290.00	\$406.00
Total	4.5		

TOTAL: \$1,134.50

Date	Description of Disbursement	Units	\$ Rate	\$ Amount
04/30/2025	Court Filing Fee - Vendor: Colorado Interactive Invoice#: 5714622 Date: 4/30/2025 - Colorado Interactive E-Filing - APR2025 - 04/2025 Boulder County Court Case History Purchase #2022DR30458	1	30.00	30.00
05/31/2025	Court Filing Fee - Vendor: Colorado Interactive Invoice#: 15742674 Date: 5/31/2025 - Colorado Interactive E-Filing - 05/2025 District Court, Court of Appeals and Supreme Court #2025CV80	1	24.00	24.00
05/31/2025	Court Filing Fee - Vendor: Colorado Interactive Invoice#: 15742674 Date: 5/31/2025 - Colorado Interactiva E-Filing - 05/2025 Boulder County Court Case History Purchase #2025CV80	1	15.00	15.00
06/30/2025	Court Filing Fee - Vendor: Colorado Interactive Invoice#: 15789114-A Date: 6/30/2025 - Colorado Interactive E-Filing - 06/19/2025 Boulder County Case Access	1	15.00	15.00

DISBURSEMENTS MADE FOR YOUR ACCOUNT, FOR WHICH BILLS HAVE NOT YET BEEN RECEIVED,
WILL APPEAR ON A LATER STATEMENT

LEWIS BRISBOIS BISGAARD & SMITH LLP

LAWYERS
SUITE 4000
633 W. FIFTH STREET
LOS ANGELES, CALIFORNIA 90071
TELEPHONE (213) 250-1800

FEDERAL I.D. NO 95-3720522

File Number
ABW

048120-000174

bIBERK
Bell, Charles v. Freedberg, Jay Edward

08/04/25
4473500
Page 2

Date	Description of Disbursement	Units	\$ Rate	\$ Amount
	#2022DR30458			
	Total Fees		\$1,134.50	
	Total Disbursements		84.00	
	Total Current Charges	\$	\$1,218.50	

LEWIS BRISBOIS BISGAARD & SMITH LLP

LAWYERS
 SUITE 4000
 633 W. FIFTH STREET
 LOS ANGELES, CALIFORNIA 90071
 TELEPHONE (213) 250-1800
 FEDERAL I.D. NO 95-3720522

File Number ABW **048120-000174**

biBERK
Bell, Charles v. Freedberg, Jay Edward

09/08/25
0
Page 1

Date	Atty	Description of Services Rendered	Hours
07/31/2025	Wiens, A.	Continue preparation of motion to dismiss for failure to obtain and file certificate of review for claims against licensed professionals	1.1
		[REDACTED]	[REDACTED]
07/31/2025	Wiens, A.	Continued communications from Bell regarding clarification on court procedure	0.4
08/04/2025	Wiens, A.	Prepare and draft motion to dismiss for failure to file certificate of review per statute	2.1
08/04/2025	Wiens, A.	Continue preparation of Reply brief in support of motion to dismiss for failure to state a claim	2.4
		[REDACTED]	[REDACTED]
		[REDACTED]	[REDACTED]
08/05/2025	Wiens, A.	Continue analysis of Bell numerous email communications and continue filings in district court regarding 702 challenges and motions for expedited discovery	0.7
08/07/2025	Wiens, A.	Communications with Bell regarding exhibit clarifications and ADA accommodations	0.2
08/12/2025	Wiens, A.	Communications with Jay regarding dismissal of claims and order for same	0.2
		[REDACTED]	[REDACTED]
08/12/2025	Wiens, A.	Continued communications from Bell regarding misrepresentations and expert disputes	0.2
		[REDACTED]	[REDACTED]
08/13/2025	Wiens, A.	Communications with John Palmeri regarding [REDACTED] pursuit of attorney fees under order of dismissal	0.2
08/15/2025	Wiens, A.	Conference call with John Palmeri regarding pursuit of fee order and contempt citation	0.4
08/15/2025	Wiens, A.	Communications with Jay regarding next steps in approval of fee order	0.2
08/22/2025	Wiens, A.	Communications with Jay regarding new Rule 60 filing by Bell in Boulder District Court dissolution matter and most recent settlement demand	0.5
08/22/2025	Wiens, A.	Prepare detailed status report to Robert Farrell regarding new threats by Bell, new filings by Bell, and request for authority to seek fees and costs against Bell	0.4
08/22/2025	Wiens, A.	Communications with Bell regarding new threats, filings, Rule 408 communications	0.4
08/22/2025	Wiens, A.	Conference call with Jay regarding dismissal orders and next steps to recover fees and costs	0.2

Recap of Services	Hours	\$	Effective Rate	\$ Fees
Adam Wiens	[REDACTED]	9.6	290.00	\$2,784
Total	[REDACTED]	9.6		\$2,784
Total Fees				[REDACTED] \$2,784
Total Current Charges		\$		[REDACTED] \$2,784

INVOICE

Freedberg Ltd.
PO Box 200040
Denver, CO 80220

jay@freedberg ltd.com
+1 (303) 229-1353
Freedberg ltd.com

DATE FILED
June 4, 2025 4:41 PM
FILING ID: AF59C3706D8E0
CASE NUMBER: 2022DR30458

Ms Carol Glassman:Glassman (Bell)

Bill to
Glassman (Bell)
1790 38th Street
Suite 300
Boulder, CO 80301 USA

Invoice details

Invoice no.: 1054
Invoice date: 03/28/2024

#	Date	Product or service	Description	Qty	Rate	Amount
1.	03/25/2024	Consulting - JEF	Correspondence	0.2	\$270.00	\$54.00

Ways to pay



Total	\$54.00
Payment	-\$54.00
Balance due	\$0.00

INVOICE

Freedberg Ltd.
PO Box 200040
Denver, CO 80220

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+1 (303) 229-1353
Freedberg ltd.com

Ms Carol Glassman:Glassman (Bell)

Bill to
Glassman (Bell)
1790 38th Street
Suite 300
Boulder, CO 80301 USA

Invoice details

Invoice no.: 1082
Invoice date: 05/30/2024

#	Date	Product or service	Description	Qty	Rate	Amount
1.	05/10/2024	Consulting - JEF	File review and correspondence	0.8	\$270.00	\$216.00
2.	05/11/2024	Consulting - JEF	Research	1.2	\$270.00	\$324.00
3.	05/12/2024	Consulting - JEF	Research and correspondence	0.9	\$270.00	\$243.00
4.	05/17/2024	Consulting - JEF	Conference	0.7	\$270.00	\$189.00

Total **\$972.00**

Ways to pay



Payment - \$972.00

Balance due **\$0.00**

INVOICE

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PO Box 200040
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Freedberg ltd.com

Ms Carol Glassman:Glassman (Bell)

Bill to
Glassman (Bell)
1790 38th Street
Suite 300
Boulder, CO 80301 USA

Ship to
Glassman (Bell)
1790 38th Street
Suite 300
Boulder, CO 80301 USA

Invoice details

Invoice no.: 1089
Invoice date: 06/27/2024

#	Date	Product or service	Description	Qty	Rate	Amount
1.	06/18/2024	Consulting - JEF	Review documents and correspondence	1.4	\$270.00	\$378.00
2.	06/20/2024	Consulting - JEF	Correspondence, document review, and conference	0.8	\$270.00	\$216.00

Total **\$594.00**

Ways to pay



Review and pay

INVOICE

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Denver, CO 80220

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+1 (303) 229-1353
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Ms Carol Glassman:Glassman (Bell)

Bill to
Glassman (Bell)
1790 38th Street
Suite 300
Boulder, CO 80301 USA

Ship to
Glassman (Bell)
1790 38th Street
Suite 300
Boulder, CO 80301 USA

Invoice details

Invoice no.: 1163
Invoice date: 11/26/2024

#	Date	Product or service	Description	Qty	Rate	Amount
1.	11/25/2024	Consulting - JEF	Conference and document review	0.8	\$270.00	\$216.00
2.	11/26/2024	Consulting - JEF	Document review and preparation of schedule	0.5	\$270.00	\$135.00

Total **\$351.00**

Ways to pay



Pay invoice

INVOICE

Freedberg Ltd.
PO Box 200040
Denver, CO 80220

jay@freedberg ltd.com
+1 (303) 229-1353
Freedberg ltd.com

Ms Carol Glassman:Glassman (Bell)

Bill to
Glassman (Bell)
4845 Pearl E. Circle, Suite 101
Boulder, Colorado 80301

Invoice details

Invoice no.: 1183
Invoice date: 01/28/2025

#	Date	Product or service	Description	Qty	Rate	Amount
1.	01/08/2025	Consulting - JEF	Preparation of schedules	0.3	\$270.00	\$81.00
2.	01/09/2025	Consulting - JEF	Preparation of schedules	0.7	\$270.00	\$189.00
3.	01/23/2025	Consulting - JEF	Preparation of schedules	1.2	\$270.00	\$324.00
4.	01/23/2025	Consulting - JEF	Preparation of schedules	0.8	\$270.00	\$216.00
5.	01/25/2025	Consulting - JEF	Preparation of schedules	1	\$270.00	\$270.00

Total **\$1,080.00**

Ways to pay



[View and pay](#)

INVOICE

Freedberg Ltd.
PO Box 200040
Denver, CO 80220

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+1 (303) 229-1353
Freedberg ltd.com

Ms Carol Glassman:Glassman (Bell)

Bill to
Glassman (Bell)
Carol Glassman, P.C.
4845 Pearl E. Circle, Suite 101
Boulder, Colorado 80301

Invoice details

Invoice no.: 1214
Invoice date: 05/03/2025

#	Date	Product or service	Description	Qty	Rate	Amount
1.	04/11/2025	Consulting - JEF	Preparation of report and schedules	0.8	\$300.00	\$240.00
2.	04/14/2025	Consulting - JEF	Preparation of report and schedules	1.1	\$300.00	\$330.00
3.	04/15/2025	Consulting - JEF	Preparation of report and schedules	1	\$300.00	\$300.00
4.	04/16/2025	Consulting - JEF	Preparation of report and schedules	1.5	\$300.00	\$450.00

Total **\$1,320.00**

Ways to pay



[View and pay](#)

	<u>DESCRIPTION</u>	<u>HOURS</u>
		1.00
July 3, 2023		
CEG	Prepare for Deposition; Email exchange with client; Forward email [REDACTED] [REDACTED]	2.20
July 5, 2023		
ML	Create deposition notebook for exhibits	0.25
CEG	Read series of messages; Called Alyson and left message	0.25
CEG	Prepare for Deposition	2.00
CEG	Telephone conference with Alyson [REDACTED]; Email to Katie Goff regarding same	0.25
CEG	Email exchange with Alyson	0.10
NM	Review and finalize Deposition exhibits; Finalize Deposition questions; Meeting with CEG regarding same	2.00
July 6, 2023		
ML	Update client pleadings file	0.25
CEG	Read and respond to email	0.10
CEG	Sat through parts of Deposition; Meeting with Katie Goff (4.0 hrs total, no charge 2.0)	2.00
NM	Deposition	6.70

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
July 7, 2023		
CEG	[REDACTED]; Email follow up with Andrew at David Littman's office	0.90
CEG	Telephone conference with Alyson; Review loan papers	0.20
July 8, 2023		
CEG	Read [REDACTED]	0.20
CEG	Read [REDACTED] email and respond to Alyson	0.20
July 9, 2023		
CEG	Email to Katie regarding Charles' Talking Parents message; Review Loan disclosure documents; Email to Alyson [REDACTED]	0.75
CEG	Numerous emails with Alyson	0.35
July 10, 2023		
CEG	Read and respond to email; Email with Milfeld	0.20
CEG	Telephone conference [REDACTED]	0.35
CEG	Review motions; Instructions to paralegal	0.25
NM	Review Petitioner's witness list; Draft Motion to Strike Nicole Pate; Draft Motion to Strike Leah Fox	1.30
July 11, 2023		
ML	Download [REDACTED] to client file	0.10
CEG	Email to Katie regarding withdrawing witnesses; Read email regarding same	0.20
July 12, 2023		
ML	Trial preparation (create exhibit and CEG trial notebook, compile exhibits from Exhibit List, format first draft of witness testimony)	1.50
CEG	Read emails regarding [REDACTED]; Email to Alyson; Telephone conference with Milfeld	0.35

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
July 13, 2023		
ML	Zoom meeting with CEG and Alyson regarding discovery responses	1.00
MAL	Administrative assistant - Redact Alyson's historical invoices with respect to Non-Pattern Request for Production of Documents No. 3	0.25
ML	Format first draft of J. Freedberg's Rebuttal Report Witness Disclosure and Submission of J. Freedberg's Valuation of Tool Studios and Income Analysis reports.	0.35
CEG	Email to [REDACTED]	0.20
CEG	Meeting with Alyson [REDACTED]; Instructions to paralegal regarding rebuttal witness disclosure and reports; Read draft reports	2.50
CEG	Telephone conference [REDACTED]	0.25
CEG	Review Deposition transcript [REDACTED]; Email [REDACTED]	0.40
July 14, 2023		
CEG	Read and respond to email from Alyson; Read email from Cesar Velasquez	0.25
CEG	Meeting [REDACTED]; Review settlement proposal from Katie Goff; Email exchange with Katie regarding same; Email to Jeremy Harkness; Email to J.; Email to Katie regarding withdrawal of witnesses; Further analysis of settlement offer	2.30
CEG	Meeting with Alyson	0.90
CEG	Read email from Alyson; Email to Kate regarding bill pay	0.20
July 15, 2023		
CEG	Read Talking Parenting message; Email to Kate; Email to reporter	0.25
July 16, 2023		
CEG	Read email from Katie; Emails with Alyson; Trial preparation	2.75
July 17, 2023		
ML	Finalize revisions to Rebuttal Witness Disclosure; E-file Rebuttal Witness Disclosure; E-serve J. Freedberg's rebuttal reports; Create file No. 2	0.75

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
NM	Meeting with CEG regarding case	0.50
CEG	Trial preparation [REDACTED]	2.50
CEG	Meeting with Milfeld [REDACTED] [REDACTED]	0.50
July 18, 2023		
ML	Review discovery documents received from Alyson	0.20
CEG	Email exchanges with Alyson	0.40
July 20, 2023		
NM	File and serve Motion to Strike Leah Fox as a witness, Motion to Strike Nicol Pate as a witness	0.10
NM	Add conferral language for Motion to Strike Nicol Pate as a witness and for Motion to Strike Leah Fox as a witness	0.10
ML	Continue Alyson's discovery responses	0.60
CEG	Brief meeting with Milfeld	0.30
CEG	Review discovery responses; Email to client regarding same	0.75
CEG	Read and respond to email [REDACTED]	0.20
July 21, 2023		
CEG	Telephone conference with Alyson; Email to Katie regarding bill pay; Read [REDACTED]	0.50
CEG	Telephone conference with Katie Goff	0.20
CEG	Read and respond to Katie's emails regarding billing and use of HELOC	0.30
July 22, 2023		
CEG	Read email from Alyson; Email Kate	0.20
July 23, 2023		
CEG	Trial preparation	3.00

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
July 24, 2023		
ML	Continue discovery responses; Review documents sent by Alyson; Revise Request for Production of Documents	0.25
CEG	Email exchanges with Alyson	0.25
CEG	Continued Deposition; Read email from Alyson; Email to Katie regarding Sam's Club	0.70
July 25, 2023		
NM	Review Petition, Sworn Financial Statement and discovery in preparation for drafting Joint Trial Management Certificate; Review Freedberg rebuttal report	1.40
NM	Draft Undisputed Facts and Stipulations; Draft argument regarding marital home; Draft argument regarding business income	2.00
NM	Telephone conference with CEG [REDACTED]	0.20
ML	Upload 16.2 disclosures from both parties; Share Dropbox link to N. Milfeld	0.15
MAL	Administrative assistant - [REDACTED]	1.00
ML	Update Exhibit List	0.25
CEG	Revise spreadsheet; Email to Katie regarding valuation dates for accounts; Email to Alyson regarding same; Meeting with Alyson; Revise offer	2.20
CEG	Revise offer	0.20
July 26, 2023		
ML	Receive, download, and forward [REDACTED]	0.20
MAL	Administrative assistant - [REDACTED]	0.40
CEG	Email to Jeremy requesting a copy of his file; Met with paralegal regarding same	0.35
CEG	Review [REDACTED]	1.50
July 27, 2023		
CEG	Trial preparation	1.00

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
July 28, 2023		
ML	Assisted with testimony	0.75
CEG	Trial preparation	1.75
CEG	Review Joint Trial Management Certificate revisions; Telephone conference [REDACTED] [REDACTED]	0.50
July 31, 2023		
CEG	Review discovery responses; Email to K. Goff; Met with paralegal	0.35
CEG	Instructions to paralegal regarding discovery responses filing	0.30
ML	Review discovery responses; Read email from Alyson; Save updated Sworn Financial Statement and updated documents provided; Meeting with CEG; Email to Alyson requesting additional discovery documents; Send Interrogatory Response to Alyson for electronic signature; Updated Sworn Financial Statement and Marital Balance Sheet balances; Email to CEG re J. Reiter emails for review; Finalize Request for Production of Documents; Forward to Alyson for electronic signature.	2.00

SUMMARY OF SERVICES

Attorney/Glassman	166.20 hrs @ 400.00	\$ 66,480.00
Administrative/LaPlume	3.60 hrs @ 65.00	\$ 234.00
Paralegal/LaPlume	29.55 hrs @ 175.00	\$ 5,171.25
Attorney/Milfeld	24.20 hrs @ 325.00	\$ 7,865.00

TOTAL PROFESSIONAL SERVICES	223.55 HOURS	\$ 79,750.25
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COSTS AND DISBURSEMENTS

<u>DATE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
11/30/22	Administrative fee, input of data into computer network system, administrative work surrounding the initial creation of the client's file, creation of a billing record file, other various administrative tasks necessary to begin work on the case and computer charges for Law Toolbox services	265.00
12/12/22	E-filing charges	24.00
01/12/23	E-filing charges	24.00

<u>DATE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	
01/19/23	E-filing charges	24.00	
01/31/23	E-filing charges	24.00	
	E-filing charges	24.00	
02/27/23	████████████████████	583.50	
03/24/23	E-filing charges	24.00	
03/27/23	████████████████████	459.00	
03/29/23	E-filing charges	24.00	
04/27/23	██	1,728.00	
05/18/23	E-filing charges	24.00	
05/31/23	Six Consulting LLC	2,979.00	
06/07/23	E-filing charges	12.68	
06/11/23	E-filing charges	24.00	
06/16/23	E-filing charges	12.00	
06/20/23	E-filing charges	24.00	
06/22/23	E-filing charges	24.00	
06/29/23	Six Consulting LLC	702.00	
07/17/23	Jay Freedberg, Six Consulting	4,050.00	
	E-filing charges	12.00	
07/18/23	E-filing charges	24.00	
07/20/23	AB Litigation Services, Charles Bell's Deposition transcript	1,531.43	
	E-filing charges - Motions to Strike	12.00	
07/31/23	E-filing charges	12.00	
	TOTAL COSTS AND DISBURSEMENTS		<u>\$ 12,646.61</u>

SUMMARY OF ACCOUNT

BALANCE FORWARD	\$ 0.00
TOTAL NEW CHARGES	92,396.86
PAYMENTS AND CREDITS	<u>-71,510.78</u>

TOTAL AMOUNT DUE **\$ 20,886.08**

AGED BALANCE	CURRENT	OVER 30	OVER 60	OVER 90	TOTAL
FEES	20886.08	0.00	0.00	0.00	20886.08
COSTS	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
TOTAL	20886.08	0.00	0.00	0.00	20886.08

INVOICE

Freedberg Ltd.
PO Box 200040
Denver, CO 80220

jay@freedberg ltd.com
+1 (303) 229-1353
Freedberg ltd.com

DATE FILED
June 4, 2025 4:41 PM
FILING ID: AF59C3706D8E0
CASE NUMBER: 2022DR30458

Ms Carol Glassman:Glassman (Bell)

Bill to
Glassman (Bell)
1790 38th Street
Suite 300
Boulder, CO 80301 USA

Invoice details

Invoice no.: 1054
Invoice date: 03/28/2024

#	Date	Product or service	Description	Qty	Rate	Amount
1.	03/25/2024	Consulting - JEF	Correspondence	0.2	\$270.00	\$54.00

Ways to pay



Total	\$54.00
Payment	-\$54.00
Balance due	\$0.00

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Ms Carol Glassman:Glassman (Bell)

Bill to
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1790 38th Street
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Boulder, CO 80301 USA

Invoice details

Invoice no.: 1082
Invoice date: 05/30/2024

#	Date	Product or service	Description	Qty	Rate	Amount
1.	05/10/2024	Consulting - JEF	File review and correspondence	0.8	\$270.00	\$216.00
2.	05/11/2024	Consulting - JEF	Research	1.2	\$270.00	\$324.00
3.	05/12/2024	Consulting - JEF	Research and correspondence	0.9	\$270.00	\$243.00
4.	05/17/2024	Consulting - JEF	Conference	0.7	\$270.00	\$189.00

Total **\$972.00**

Ways to pay



Payment - \$972.00

Balance due **\$0.00**

INVOICE

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Ms Carol Glassman:Glassman (Bell)

Bill to
Glassman (Bell)
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Suite 300
Boulder, CO 80301 USA

Ship to
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Boulder, CO 80301 USA

Invoice details

Invoice no.: 1089
Invoice date: 06/27/2024

#	Date	Product or service	Description	Qty	Rate	Amount
1.	06/18/2024	Consulting - JEF	Review documents and correspondence	1.4	\$270.00	\$378.00
2.	06/20/2024	Consulting - JEF	Correspondence, document review, and conference	0.8	\$270.00	\$216.00

Total **\$594.00**

Ways to pay



Review and pay

INVOICE

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Ms Carol Glassman:Glassman (Bell)

Bill to
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1790 38th Street
Suite 300
Boulder, CO 80301 USA

Ship to
Glassman (Bell)
1790 38th Street
Suite 300
Boulder, CO 80301 USA

Invoice details

Invoice no.: 1163
Invoice date: 11/26/2024

#	Date	Product or service	Description	Qty	Rate	Amount
1.	11/25/2024	Consulting - JEF	Conference and document review	0.8	\$270.00	\$216.00
2.	11/26/2024	Consulting - JEF	Document review and preparation of schedule	0.5	\$270.00	\$135.00

Total **\$351.00**

Ways to pay



Pay invoice

INVOICE

Freedberg Ltd.
PO Box 200040
Denver, CO 80220

jay@freedberg ltd.com
+1 (303) 229-1353
Freedberg ltd.com

Ms Carol Glassman:Glassman (Bell)

Bill to
Glassman (Bell)
4845 Pearl E. Circle, Suite 101
Boulder, Colorado 80301

Invoice details

Invoice no.: 1183
Invoice date: 01/28/2025

#	Date	Product or service	Description	Qty	Rate	Amount
1.	01/08/2025	Consulting - JEF	Preparation of schedules	0.3	\$270.00	\$81.00
2.	01/09/2025	Consulting - JEF	Preparation of schedules	0.7	\$270.00	\$189.00
3.	01/23/2025	Consulting - JEF	Preparation of schedules	1.2	\$270.00	\$324.00
4.	01/23/2025	Consulting - JEF	Preparation of schedules	0.8	\$270.00	\$216.00
5.	01/25/2025	Consulting - JEF	Preparation of schedules	1	\$270.00	\$270.00

Total **\$1,080.00**

Ways to pay



[View and pay](#)

INVOICE

Freedberg Ltd.
PO Box 200040
Denver, CO 80220

jay@freedberg ltd.com
+1 (303) 229-1353
Freedberg ltd.com

Ms Carol Glassman:Glassman (Bell)

Bill to
Glassman (Bell)
Carol Glassman, P.C.
4845 Pearl E. Circle, Suite 101
Boulder, Colorado 80301

Invoice details

Invoice no.: 1214
Invoice date: 05/03/2025

#	Date	Product or service	Description	Qty	Rate	Amount
1.	04/11/2025	Consulting - JEF	Preparation of report and schedules	0.8	\$300.00	\$240.00
2.	04/14/2025	Consulting - JEF	Preparation of report and schedules	1.1	\$300.00	\$330.00
3.	04/15/2025	Consulting - JEF	Preparation of report and schedules	1	\$300.00	\$300.00
4.	04/16/2025	Consulting - JEF	Preparation of report and schedules	1.5	\$300.00	\$450.00

Total **\$1,320.00**

Ways to pay



[View and pay](#)

Boulder County Court
1777 Sixth Street P.O. Box 4249
Boulder CO 803064249 United States

CHARLES R BELL
210 EMERY STREET
UNIT 12
LONGMONT CO 80501

1 287 1020

To: Charles R Bell

Subject: Service of documents in 2025CV80.

You are being served with documents filed electronically through the Colorado Courts E-Filing system. Please review the following details concerning this service.

- Court Location: Boulder County
- Case Number: 2025CV80

- Filing ID: N/A
- Filed Document Title(s):
 - Order Granting Motions to Dismiss
- Submitted on Date/Time: Tue Aug 12 17:30:12 MDT 2025
- Submitted by Authorizing Organization:
- Submitted by Authorizing Attorney: Boulder County Court

If you have a question about the above listed case, please contact the court.
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District Court Boulder County, Colorado
1777 6th Street
Boulder, CO 80302
(303) 441-3750

Plaintiff: CHARLES R BELL,

v.

Defendants: JAY E FREEDBERG & CAROL
GLASSMAN.

DATE FILED
August 11, 2025

▲ COURT USE ONLY ▲

Case Number: 2025CV80

Division: 2 **Courtroom:** H

ORDER GRANTING DEFENDANTS' MOTIONS TO DISMISS

Plaintiff Charles Bell alleges that his ex-wife's lawyer and expert witness defrauded the court overseeing their dissolution of marriage case by misrepresenting the value of his business. He now asserts multiple claims against the expert witness (Defendant Jay Freedberg) and his ex-wife's attorney (Defendant Carol Glassman). But both attorneys and witnesses enjoy a broad absolute immunity for statements they make in litigation. That immunity applies here and bars Bell's claims. The Court therefore dismisses the complaint because the Defendants enjoy absolute immunity. Even if they didn't, dismissal is still required because the complaint fails to adequately plead any claims for which the Court can grant relief.

BACKGROUND

In the underlying dissolution of marriage proceedings for Charles Bell and Alyson Varvel (formerly Bell), the court adopted Freedberg's valuation of Bell's web

development company, Tool Studios.¹² Freedberg is a CPA and a business consultant with a focus on forensic accounting for Colorado divorce cases and he served as Varvel’s expert.³ Freedberg valued Tool Studios at \$305,000 as of April 30, 2023.⁴ The court adopted Freedberg’s conclusions over another expert’s conclusions because it found his “rationale to be the more compelling.”⁵ The Colorado Court of Appeals upheld the court’s adoption of Freedberg’s report on May 1, 2025.⁶

In the permanent orders, the court also ordered Bell to pay part of Varvel’s attorney’s fees, based on his “history of prolonging this litigation through hiring and firing of multiple attorneys” and his “penchant for making agreements with [Varvel] before recanting them and restarting the negotiations.”⁷ Later, Bell was admonished by another judicial officer for “harassing and frivolous” requests and repeated filings concerning the alleged fraud in Freedberg’s valuation report.⁸ Specifically, the court noted that it issued “a number of orders expressing concerns about [Bell’s] growing

¹ The Court takes judicial notice of exhibits A-F (attached to Glassman’s motion) and exhibit 4 (attached to Freedberg’s motion) because they are records of the Court’s own files. *See, e.g., Harriman v. Cabela’s Inc.*, 2016 COA 43, ¶ 64.

² Ex. A at 6 (May 27, 2025).

³ *Id.*

⁴ *Id.*

⁵ *Id.*

⁶ Ex. D, at 9 ¶¶ 21-22 (May 27, 2025).

⁷ Ex. A at 18.

⁸ Ex. 4 at 2 (May 29, 2025).

obsession about allegations of fraud surrounding an expert report.”⁹ The Court “warned [Bell] not to engage in additional actions regarding his belief there was fraud before the Court in the permanent orders,” but noted that, “despite numerous warnings by the Court, [Bell] continues to engage in a crusade to try to prove there was.”¹⁰

In the current proceeding, Bell’s April 28, 2025 complaint names Freedberg and Glassman as defendants.¹¹ Bell asserts three claims against both Defendants: fraudulent misrepresentation, civil conspiracy, and unjust enrichment. He also asserts one claim against Freedberg for professional negligence and one claim against Glassman for abuse of process.¹² Both Freedberg and Glassman move to dismiss. The Court has reviewed the motions, responses, and replies; the case file; and applicable case law.

LEGAL STANDARD

The purpose of a Rule 12(b)(5) motion “is to test the legal sufficiency of the complaint to determine whether the plaintiff has asserted a claim or claims upon which relief can be granted.”¹³ The Court may dismiss a complaint under Rule 12(b)(5) if a complaint asserts a claim that is not cognizable as a matter of law.¹⁴ The Court may also

⁹ *Id.*

¹⁰ *Id.*

¹¹ Compl. at 1.

¹² *Id.* at 5-7.

¹³ *Andres Trucking Co. v. United Fire & Cas. Co.*, 2018 COA 144, ¶ 14.

¹⁴ *Peña v. Am. Fam. Mut. Ins. Co.*, 2018 COA 56, ¶ 13.

dismiss a complaint under Rule 12(b)(5) if it fails to plead facts sufficient to state a plausible claim.¹⁵ Thus, a plaintiff “must plead sufficient facts that, if taken as true, suggest plausible grounds to support a claim for relief” beyond speculative grounds.¹⁶

Bell is appearing pro se, so the Court construes his filings liberally.¹⁷ But the Court must stop short of rewriting his pleadings or serving as his advocate.¹⁸

ANALYSIS

I. The Defendants enjoy absolute immunity.

A. Freedberg is absolutely immune from Plaintiffs’ claims.

“At common law, witnesses are absolutely immune from civil liability for testimony given in judicial proceedings.”¹⁹ This immunity exists even if the testimony was false and made with malice.²⁰ The Court of Appeals has explained the rationale for this rule as wanting to ensure witnesses are free to testify fully without fear of civil liability, while relying on tools other than civil lawsuits (like oaths, cross-examination,

¹⁵ *Warne v. Hall*, 2016 CCO 50, ¶¶ 9, 24.

¹⁶ *Patterson v. James*, 2018 CCA 173, ¶ 23.

¹⁷ *People v. Cali*, 2020 CCO 20, ¶ 34.

¹⁸ *Id.*

¹⁹ *Wolf v. Brennan*, 2024 CCA 71, ¶ 29.

²⁰ *Id.*

and perjury statutes) to ensure truthful and reliable testimony.²¹ This immunity extends to expert witnesses.²²

Here, Freedberg is entitled to absolute immunity from all civil claims against him related to his testimony in that case. Bell's claims against Freedberg all derive from Freedberg's valuation report, which Freedberg made as an expert witness in the underlying dissolution action. In his response, Bell asserts that the "[l]itigation privilege does not apply to fraudulent expert submissions where the misrepresentation is extrinsic to the case and not discovered until after the judgment."²³ The case he cites, *In re Marriage of Schelp*, 228 P.3d 151 (Colo. App. 2009), does not so hold, or even say anything at all about absolute witness immunity.²⁴ It is true that for witness immunity to attach, the testimony must have "some relation to the proceeding."²⁵ But Freedberg's statements clearly did: the court's reliance on his report is the basis of Bell's claimed harm. Freedberg is therefore absolutely immune from these claims.

²¹ See *id.* at ¶ 30.

²² *Dalton v. Miller*, 984 P.2d 666, 669 (Colo. App. 1999).

²³ Resp. at 4.

²⁴ Bell referred to the case as "*Schelp v. SCA Corp.*," but the Court could not locate such a case and the citation he provided refers to *In re Marriage of Schelp*, so the Court assumes that is what he meant to cite.

²⁵ Restatement (Second) of Torts § 588.

B. Glassman is absolutely immune from Plaintiff's claims.

Absolute immunity also extends to attorneys for statements made in litigation.

"An attorney's statements, even if defamatory, when made in the course of, or in preparation for, judicial proceedings in a filed case cannot be the basis of a tort claim if the statements are related to the litigation."²⁶ The purpose of giving attorneys immunity from civil suits is to "protect free access to the courts for litigants and their attorneys."²⁷ To be privileged, an attorney's allegedly tortious statements or conduct simply need to have been made about the pending litigation, but that's a very broad standard: it "embraces anything that possibly may be relevant."²⁸ "All doubt should be resolved in favor of [a statement's] relevancy or pertinency."²⁹ And the immunity extends beyond defamation claims to all "claims that stem from the same conduct."³⁰

Glassman is entitled to immunity under this standard. All Bell's claims against Glassman are based on Glassman's litigation statements and conduct in representing Varvel, specifically those in filing the expert report. These statements and conduct are part of the judicial process and were relevant to the underlying litigation. They are therefore privileged.

²⁶ *Patterson v. James*, 2018 COA 173, ¶ 19.

²⁷ *Id.*

²⁸ *Belinda A. Begley & Robert K. Hirsch Revocable Tr. v. Ireson*, 2020 COA 157, ¶ 34.

²⁹ *Id.*

³⁰ *Buckhannon v. U.S. W. Comms., Inc.*, 928 P.2d 1331, 1335 (Colo. App. 1996).

Once again, Bell argues that the "litigation privilege does not shield fraud upon the court."³¹ But it does. "As an absolute privilege, it provides absolute immunity to the speaker, even if the statements are false, defamatory, and made with actual malice."³² The remedy for fraud on the court is with the court that was supposedly misled or defrauded; a separate civil action for damages is not available. Bell cites to Rule 60 as providing a remedy for fraud, but that's exactly the point: Rule 60 does allow for relief from a judgment procured by fraud, but that is a motion to be made in the court where the fraud allegedly occurred, not in a separate damages action. Bell also again cites to *Schely*, but that case is irrelevant to the litigation privilege issue, as discussed above. He also cites to *Davis v. Davis*, 280 P.3d 1176 (Colo. App. 2012). The Court could locate no such case.

Therefore, Glassman enjoys absolute immunity from all civil claims against her.

II. Bell did not plead sufficient facts to survive a motion to dismiss.

Even if the Defendants did not enjoy immunity, Bell's claims would have to be dismissed for failure to state a claim upon which relief can be granted.

A. Fraudulent misrepresentation claim against Freedberg and Glassman.

To state a valid fraud claim, a claimant must allege five elements: (1) the defendant misrepresented material facts; (2) the defendant knew the representation was

³¹ See *Sur Reply* at 2.

³² *Coxner v. Donald F. Trump's 90 Presalvment Inc.*, 2014 COA 35, ¶ 186.

false; (3) the claimant did not know of the misrepresentation; (4) the defendant intended the claimant to act on the misrepresentation; (5) damages resulted from the reliance.³³

“Implicit within these elements are the requirements that the claimant demonstrate that it relied on the misrepresentation and that its reliance was justified under the circumstances.”³⁴ Reliance is not justified when the claimant has knowledge of facts or access to information that indicates the representation was not true.³⁵ Fraud claims must be pled with particularity.³⁶

Here, Bell did not allege sufficient facts showing that he justifiably relied on a misrepresentation. Bell alleges that “despite acknowledgment of corrected business valuation figures by opposing counsel and the original expert, Freedberg’s rebuttal report deliberately used outdated, inaccurate figures, suppressing material evidence from the Court.”³⁷ This assertion demonstrates that Bell did not rely on Freedberg’s report and that he had access to information purportedly rebutting the report. Accordingly, Bell’s fraudulent misrepresentation claim must be dismissed.

Lowland Essential Corp., LLC v. Crommon Farms, Inc., 251 P.3d 1109, 1116 (Colo. App. 2010).

³³ *Id.*

³⁴ *Vinton v. Virva*, 2012 CO 10, ¶ 17, 269 P.3d 1242, 1247.

³⁵ C.R.C.P. 9(b).

³⁶ Compl. at 3 ¶ 3.

B. Civil conspiracy claim against Freedberg and Glassman.

To state a civil conspiracy claim, a claimant must show “(1) two or more persons; (2) an object to be accomplished; (3) a meeting of the minds on the object or course of action; (4) an unlawful overt act; and (5) damages as to the proximate result.”³⁸ Bell’s claim fails on the first element. Agents acting on behalf of their principal are not multiple persons for purposes of a conspiracy. So an attorney cannot conspire with his client, unless the attorney acted fraudulently or for his sole personal benefit.³⁹ Similarly, “[a] corporation and its agents acting on its behalf do not constitute the ‘two or more persons’ required for a civil conspiracy.”⁴⁰ Freedberg and Glassman were agents for a common principal (Varvel). The complaint alleges they fraudulently prepared and submitted an expert report to benefit their principal. This was not a conspiracy for purposes of Colorado law because there was only one person (and her agents) involved. The civil conspiracy claim therefore must be dismissed on this basis as well.

C. Unjust enrichment claim against Freedberg and Glassman.

To state a claim for unjust enrichment, a claimant must show “(1) the defendant received a benefit (2) at the plaintiff’s expense (3) under circumstances that would make

³⁸ *Nelson v. Elway*, 908 P.2d 102, 106 (Colo. 1995).

³⁹ *Sender v. Hellerstein*, 2016 COA 143, ¶¶ 30-33, *rev’d on other grounds*, 2018 CO 79.

⁴⁰ *Coomer*, 2024 COA 35, ¶ 213.

it unjust for the defendant to retain the benefit without commensurate compensation.”⁴¹

Importantly, the plaintiff must convey the benefit for an unjust enrichment claim.⁴²

Here, Bell does not allege that he conferred any benefit on Freedberg or Glassman. Instead, Bell contends that Defendants “retained payments and benefits resulting from materially false litigation tactics, including reliance on unauthorized corporate information, unjustly enriching themselves at Plaintiff’s expense.”⁴³ But Bell does not allege that these benefits were given to the Defendants at his own expense. Although Bell does contend that \$10,000 was transferred from Tool Studios to Varvel, he does not explain how this supports an inference that Defendants used those funds to “facilitate undisclosed litigation expenses or settlements.”⁴⁴ Therefore, Bell’s unjust enrichment claim must be dismissed.

D. Professional negligence claim against Freedberg.

To state a professional negligence claim, the claimant must show (1) the professional owed a duty of care; (2) the professional breached that duty of care; (3) the breach proximately caused injury to plaintiff; and (4) plaintiff suffered damages as a

⁴¹ *Smith v. Smith*, 2018 COA 25, ¶ 47, 428 P.3d 626, 636.

⁴² *Dove Valley Bus. Park Assocs., Ltd. v. Bd. of Cnty. Comm’rs of Arapahoe Cnty.*, 923 P.2d 242, 253 (Colo. App. 1997), *aff’d on other grounds sub nom. Dove Valley Bus. Park Assocs., Ltd. v. Bd. of Cnty. Comm’rs of Arapahoe Cnty.*, 945 P.2d 395 (Colo. 1997).

⁴³ Compl. at 7.

⁴⁴ *Id.* at 7.

result.⁴⁵ Crucially, “a negligence claim fails when it is based on circumstances for which the law does not impose a duty.”⁴⁶

Freedberg did not owe Bell a duty of care. Bell did not employ Freedberg and he was not a beneficiary of an agreement with Freedberg. To the contrary, as a retained expert, Freedberg owed a duty of care to Bell’s adversary in the litigation. Therefore, Bell failed to state facts sufficient to support his contention that Freedberg owed him a duty. Accordingly, Bell’s professional negligence claim is dismissed.

E. Abuse of process claim against Glassman.

To state an abuse of process claim, the claimant must show there was “(1) an ulterior purpose for the use of a judicial proceeding; (2) willful action in the use of that process which is not proper in the regular course of the proceedings, i.e., use of a legal proceeding in an improper manner; and (3) resulting damage.”⁴⁷ There is no liability if the ulterior purpose was “incidental to the proceeding’s proper purpose.”⁴⁸ Typically, the ulterior purpose is to obtain an advantage in something extrinsic to the underlying case.⁴⁹

⁴⁵ *Cabbon v Ludlow*, 2013 CO 49, ¶ 12.

⁴⁶ *Eng v Griffith*, 99 P.3d 90, 93 (Colo. App. 2004).

⁴⁷ *Active Release Techniques, LLC v Atomic, LLC*, 2017 COA 14, ¶ 6, 413 P.3d 210, 212.

⁴⁸ *Id.*

⁴⁹ *Mintz v. Accident & Inj. Med. Specialists, PC*, 284 P.3d 62, 66 (Colo. App. 2010), as modified on denial of reh’g (Feb. 24, 2011), aff’d sub nom. *Accident & Inj. Med. Specialists, PC v. Mintz*, 2012 CO 50, 279 P.3d 638.

Here, Bell does not allege an ulterior motive collateral to the dissolution of marriage proceeding. Instead, Bell contends that Glassman used the judicial process "to conceal material evidence, leverage unauthorized financial data, and gain an unfair litigation advantage."⁵⁰ These advantages are not extrinsic to the underlying case, they are part of it. Therefore, Bell fails to state a plausible claim of relief, and his abuse of process claim against Glassman must be dismissed.

III. Freedberg's request for attorney's fees is denied without prejudice.

Defendant Freedberg included a request for attorney's fees under § 13-17-102 in his motion on the ground that the complaint lacked substantial justification. To avoid serial briefing on attorney's fees issues, the Court denies the request without prejudice. Any defendant seeking attorney's fees shall file a motion within 21 days identifying all the bases upon which the motion seeks fees, in conformance with Rule 121, § 1-22(2). Responses will be due 21 days after the motion is filed, and replies within 14 days.

IV. All outstanding motions are denied as moot.

There are currently three other outstanding motions: Bell's motion to strike an expert report and request a Rule 702 hearing; Bell's motion to compel subpoena compliance; and a second motion to dismiss by Freedberg, this one under C.R.S. § 13-

⁵⁰ Compl. at 7.

20-602(4). Because the Court is granting Freedberg's and Glassman's motions to dismiss, all other outstanding motions are denied as moot.

CONCLUSION

The complaint is dismissed with prejudice.

SO ORDERED August 11, 2025.

BY THE COURT

A handwritten signature in black ink, appearing to read "Michael Kotlarczyk", written in a cursive style.

Michael Kotlarczyk
District Court Judge

BOULDER COUNTY DISTRICT COURT, COLORADO
1777 Sixth Street
Boulder, CO 80302
303.441.3750

DATE FILED
May 29, 2025 2:10 PM
FILING ID: 56A57002D4E4E
CASE NUMBER: 2025CV80

Plaintiff: Charles R. Bell

vs.

Defendants: Jay E. Freedberg, CPA/ABV/CFF; Carol
Glassman, Esq; Nelissa Milfield, Esq.

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▲ COURT USE ONLY ▲

Case No. 2025CV000080

Division: 2

**DEFENDANT JAY FREEDBERG'S MOTION TO DISMISS PLAINTIFF'S
COMPLAINT AND JURY DEMAND**

Defendant Jay Freedberg through undersigned counsel, move the Court to dismiss Plaintiff Charles Bell's Complaint pursuant to C.R.C.P. 12(b)(5). In support thereof, Mr. Freedberg states as follows:

CERTIFICATION PURSUANT TO C.R.C.P. 121§1-15(8)

Undersigned counsel conferred with Plaintiff about the complaint requested herein. Plaintiff is opposed.

PRELIMINARY STATEMENT

This case arises from Plaintiff's ongoing attempt to redress alleged wrongdoings in the 2022 Dissolution of Marriage Matter between Plaintiff, and his now ex-wife Alyson Varvel (formerly Bell) in the Boulder District Court (2022DR30458) ("Dissolution"). Plaintiff's Complaint and Jury Demand (the "Complaint") asserts claims for (1) Fraudulent Misrepresentation; (2) Professional Negligence; (3) Civil Conspiracy; and (4) Unjust Enrichment against Mr. Freedberg.

This case and Complaint are the latest chapter in Plaintiff's ongoing crusade to punish anyone and everyone involved in the Boulder County District Court's decision to accept Mr. Freedberg's properly vetted expert rebuttal report.¹ Throughout this crusade, Plaintiff has been repeatedly admonished for his continuing harassment and abuse of the judicial process connected with the underlying Dissolution. This Complaint operates as an extension of Plaintiff's ongoing effort to harass and abuse the judicial process to go after Mr. Freedberg, his ex-wife's C.R.C.P. 26(a)(2) expert witness, to strong arm him into withdrawing his opinions in the underlying Dissolution, despite the fact that Mr. Freedberg's opinions included within his C.R.C.P. 26(a)(2) expert rebuttal report (the "rebuttal report") were adopted and accepted by Judge Salomone of the Boulder County District Court through the adversarial process.

As an initial matter, Plaintiff's Complaint fails to establish standing to bring this suit. Colorado law is clear, expert witnesses may not be subject to civil liability for opinions and

¹ On April 28, 2025, Plaintiff provided undersigned counsel with a draft copy of his OARC Complaint against them for defending Mr. Freedberg from Plaintiff's frivolous claims in this matter and the parallel Colorado Accountancy Board matter. Plaintiff's abuse of process seemingly knows no bounds. *Exhibit 1*.

testimony provided at trial, including within their expert reports. Accordingly, Plaintiff's claims fail as a matter of law without the need to entertain their alleged merits.

Assuming however, that Plaintiff's claims can survive this standing issue, the Complaint is wholly unsupported by the allegations therein. For instance, the Complaint, as further described below, fails to identify any duties Mr. Freedberg owed Plaintiff, under either common law or contract. In fact, as a rebuttal witness, he effectively owed Plaintiff the opposite of a duty of care, as he was expressly retained to scrutinize Plaintiff's preferred report. Plaintiff is free to file a Complaint with the Colorado Accountancy Board, which he has already done, to address these alleged issues, but the fact that he disliked or disagreed with Mr. Freedberg's expert opinions does not provide Plaintiff with grounds to file this frivolous lawsuit. Likewise, Plaintiff's fraud, civil conspiracy, and unjust enrichment claims fail to present sufficient factual backing to survive a motion to dismiss. Accordingly, this Court should grant Mr. Freedberg's Motion to Dismiss, and award him reasonable attorney fees and costs expended defending against Plaintiff's frivolous action.

LEGAL AUTHORITY

Mr. Freedberg moves the Court to dismiss Plaintiff's Complaint pursuant to C.R.C.P. 12(b)(5) because it fails to include and/or fails to allege sufficient facts to state facially plausible claims for relief and because it fails as a matter of law. *Warne v. Hall*, 373 P.3d 588 (Colo. 2016)) ("[O]nly a complaint that states a plausible claim for relief survives a motion to dismiss.") (adopting and applying the federal "plausibility" standard first set forth in *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 570 (2007), and later clarified in *Ashcroft v. Iqbal*, 556 U.S. 662 (2007);

see also W. Innovations, Inc. v. Sonitrol Corp., 187 P.3d 1155, 1158 (Colo. App. 2008) (dismissing a plaintiff’s complaint when the substantive law does not support the claims asserted).

A motion to dismiss tests the formal sufficiency of the Complaint and allows for early dismissal of meritless claims. *Pub. Serv. Co. of Colo. v. Van Wyck*, 27 P.3d 377, 385 (Colo. 2001). While the Court must “accept all factual allegations in the [C]omplaint as true and view them in the light most favorable to the plaintiff,” the Court is “not required to accept as true legal conclusions that are couched as factual allegations.” *Denver Post. Corp. v. Ritter*, 255 P.3d 1083, 1088 (Colo. 2001) (emphasis added); *see also Ashcroft* , 556 U.S. at 678 (“Threadbare recitals of the elements of a cause of action, supported by mere conclusory statements, do not suffice.”); *see also Warne*, 373 P.3d at 596, ¶ 27 (observing that conclusory, ambiguous and/or formulaic allegations, along with bare legal conclusions, cannot support a party’s claim when faced against a Rule 12(b)(5) Motion).

Where a complaint lacks factual allegations sufficient to raise a right to relief “above a speculative level” and does not provide “plausible grounds to infer” a claim exists under Colo. R. Civ. P. 8 and 12(b)(5), it must be dismissed. *Warne v. Hall*, 373 P.3d 588, 591 (Colo. 2016)(“only a complaint that states a plausible claim for relief survives a motion to dismiss”) (quoting *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 556).

The dismissal of Plaintiff’s Complaint is proper because the “factual allegations in the Complaint cannot, as a matter of law, support the claim for relief.” *Bewley v. Semler*, 432 P.3d 582, 586 (Colo. 2018)(emphasis added)(internal quotation omitted); *see also Western Innovations, Inc. v. Sonitrol Corp.*, 187 P.3d 1155, 1158 (Colo. App. 2008)(“[A] complaint may be dismissed if the substantive law does not support the claims asserted.”); *see also BRW Inc., v. Dufficy & Sons*,

Inc., 99 P.3d 66, 71 (Colo. 2004)(“A motion to dismiss is properly granted when plaintiff’s factual allegations cannot support a claim as a matter of law.”)

ARGUMENT

A. Plaintiff Lacks Standing to Bring Claims Against Mr. Freedberg.

Plaintiff’s Complaint seeks to attach civil liability to Mr. Freedberg for the opinions he rendered in the Dissolution as a duly qualified forensic accounting expert in the rebuttal report. *Complaint*, p.1. “At common law, witnesses are absolutely immune from civil liability for testimony given in judicial proceedings.” *Wolf v. Brenneman*, 2024 COA 71, ¶29. This immunity extends to expert witnesses for their testimony at trial and activities connected therewith. *Dalton v. Miller*, 984 P.2d 666, 668-9 (Colo. App. 1999); citing *Brisco v. LaHue*, 460 U.S. 325 (1983)(noting that imposing civil liability for testimony in a judicial proceeding could have the effect of inducing self-censorship.)

In *Dalton*, the Colorado Court of Appeals affirmed in part the district court’s decision to dismiss a plaintiff’s claims for misrepresentation and deceit, intent to cause loss of improved chances for recover and increased risk of harm, invasion of privacy, abuse of process, intentional infliction of emotional distress and outrageous conduct, and civil conspiracy levied against the defendant, a formerly adverse expert psychiatrist, to the extent those complaints arose from the defendant’s expert report and recorded deposition testimony. *Dalton*, 984 P.2d at 670. In arriving at this conclusion, the Court of Appeals determined that the expert was entitled to “immunity for the contents of the report he prepared for counsel or insurer, which detailed his conclusions from his examination of plaintiff.” *Id.* at 669. In the *Dalton* opinion, the Court of Appeals described the crucial role witness immunity played in ensuring proper expert testimony:

If shadowed by the threat of liability, a witness might testify in a manner that would prevent a potential lawsuit, but would deprive the court of the benefit of candid, unbiased testimony. However, if the threat of subsequent civil liability is removed, witness reliability is otherwise ensured by oath, cross-examination, and the threat of criminal prosecution for perjury.

Id. (citing *Awai v. Kotin*, 872 P.2d 1332 (Colo. App. 1993)).

Here, all of Plaintiff's alleged damages arise directly from Mr. Freedberg's allegedly improper rebuttal report. Setting aside the lack of factual support for these allegations and the overwhelming judicial history supporting the rebuttal report, Mr. Freedberg is entitled to immunity from Plaintiff's claims per Colorado law. *See Dalton*, 984 P.2d. 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. *Exhibit 2*, Permanent Orders: Dissolution of Marriage, at p.1; *Exhibit 3*, Jay Freedberg's C.R.C.P. 26(a)(2) Disclosure Certificate. His rebuttal report underwent judicial scrutiny in the underlying dissolution of marriage case, and his opinions within the report were filed under the threat of perjury. Allowing Plaintiff to continue dragging Mr. Freedberg's reputation through the mud, despite his full compliance with the rules governing expert witnesses, will only serve to dissuade Mr. Freedberg and future witnesses from providing the Court with candid and unbiased testimony. *See Dalton*, 984 P.2d at 669.

Accordingly, because Mr. Freedberg is entitled to witness immunity for civil claims against him, and because Plaintiff's claims all derive from alleged improprieties within the rebuttal report itself, Plaintiff's claims against Mr. Freedberg must be dismissed for lack of standing. On this basis alone, all of Plaintiff's claims should be dismissed and Mr. Freedberg should be awarded all fees and costs in responding to Plaintiff's complaint.

B. Plaintiff's Fraudulent Misrepresentation Claim is Barred by Its Failure to State a Plausible Claim.

To establish his fraudulent misrepresentation claim against Mr. Freedberg, Plaintiff must show that: (1) Mr. Freedberg made a fraudulent misrepresentation of material fact; (2) that he relied on the misrepresentation; (3) that he was justified in relying on the misrepresentation; and (4) that his reliance on Mr. Freedberg's misrepresentation resulted in damages. *Barnes v. State Farm Mut. Auto. Ins. Co.*, 2021 COA 89, ¶28.

As an initial matter, Plaintiff's allegation that Mr. Freedberg made a fraudulent misrepresentation of a material fact, is entirely unsupported both by the pleadings and the substantial body of law created in this matter to date. Court's presiding over the numerous offshoots of this matter have repeatedly deferred to Mr. Freedberg's expert opinions. Conversely, Plaintiff has repeatedly failed to present compelling evidence as to the report's alleged fraudulence. In the Permanent Order for the underlying dissolution matter, Judge Nancy Salomone of the Boulder County District Court determined that Mr. Freedberg's rebuttal report and expert methodology were "high credible and compelling," and adopted his positions on the value of that matter in their entirety. *Ex. 2*, at p 13-15, 17. The Colorado Court of Appeals upheld Judge Salomone's adoption of Mr. Freedberg's rebuttal report on May 1, 2025. *See In re Marriage of Charles Robert Bell*, 2024CA141. Plaintiff has had ample opportunity to prove the supposedly fraudulent nature of the rebuttal report but has failed to do so time and time again. This Complaint is no more than an attempt to seek recourse once again for a perceived, but entirely unsubstantiated, wrong.

Moreover, not only have the Courts adopted Mr. Freedberg's report, but Plaintiff has been repeatedly admonished for his frivolous and harassing requests to uncover the supposed fraud. *See*

Exhibit 4, Order Re: Motion to Compel Expedited Responses to Supplemental Interrogatories, at p.1-2 (“The Court has issue[d] a number of orders expressing concerns about [Plaintiff]’s growing obsessions about allegations of fraud surrounding an expert obtained by Co-Petitioner and used in the permanent orders hearing on August 23, 2023”); *Id.* (“The Court has warned Petitioner not to engage in additional actions regarding his belief there was fraud before the Court in the permanent orders as it pertains to his pending Motion to Modify Spousal Support as the Court has previously found that is not relevant for the Court to address at the June 11, 2025, hearing. Despite numerous warnings by the Court, Petitioner continues to engage in a crusade to prove there was.”)

Further, Plaintiff’s Complaint fails to establish with particularity any reliance on the purported misrepresentation. Per C.R.C.P. 9(b), “In all averments of fraud or mistake, the circumstances constituting fraud or mistake shall be stated with particularity.” *Colo. R. Civ. P.* 9(b). As noted above, to properly raise a claim for fraudulent misrepresentation, a plaintiff must establish that he or she actually relied on that representation, and that they were justified in doing so. *Barnes*, 2021 COA at ¶28. In the present instance, Mr. Freedberg was engaged by Plaintiff’s ex-wife for the express purpose of rebutting a joint expert report the two filed in the underlying Dissolution. *See Ex. 3*. It is logically inconsistent with the very nature of Mr. Freedberg’s retention, as an adverse expert witness, to assume that Plaintiff would have relied on his reporting, and Plaintiff has completely failed to prove otherwise.

In sum, because Plaintiff has failed to identify with particularity the allegedly fraudulent acts Mr. Freedberg committed, and because he has failed to identify how he relied on these fraudulent acts, this claim must be dismissed.

C. Plaintiff’s Professional Negligence Claim Fails as Mr. Freedberg Had No Duties Towards Plaintiff.

To succeed on his professional negligence claim, Plaintiff must prove that: (1) Mr. Freedberg owed him a duty of care; (2) that Mr. Freedberg breached that duty of care; (3) that Mr. Freedberg’s breach proximately caused injury to Plaintiff; and (4) that Plaintiff suffered damages as a result. *Gibbons v. Ludlow*, 2013 CO 49, ¶12. “Whether a legal duty is owed by a particular defendant to a particular plaintiff and the scope of any such duty are questions of law that must be determined by the Court.” *English v. Griffith*, 99 P.3d 90, 93 (Colo. App. 2004). Negligence claims raised in circumstances where no legal duty exists fail as a matter of law. *See Id.*

In Colorado, Accountants typically owe no duties to non-clients absent a showing of fraud or misrepresentation. *Stephens Industries, Inc. v. Haskins and Sells*, 438 F.2d 357 (10th Cir. 1971). Here, Plaintiff fails to identify the source of Mr. Freedberg’s purported duty of care, aside from the legal conclusion that Mr. Freedberg “owed Plaintiff and the Court a duty of care under applicable forensic accounting standards. . .” *Complaint*, at p.6. Plaintiff does not allege that he employed Mr. Freedberg, nor does he allege that he was a beneficiary of any agreement between Mr. Freedberg or a third party. Accordingly, Plaintiff’s Negligence claim fails as a matter of law to establish that Mr. Freedberg owed him a duty of care beyond mere speculation and must be dismissed.

D. Plaintiff’s Civil Conspiracy Claim Fails to State a Claim Upon Which Relief Can Be Granted.

To succeed on a Civil Conspiracy claim, Plaintiff must establish: (1) two or more persons, (2) an object to be accomplished; (3) a meeting of the minds on the object or course of action; (4) one or more unlawful overt acts; and (5) damages as a result thereof. *Wright v. TEGNA Inc.*, 2024

COA 64M, ¶65. To sustain his claim, Plaintiff “must present some indicia of agreement in an unlawful means or end.” *Rosenblum v. Budd*, 2023 COA 72, ¶52. An individual is liable as a conspirator only where he or she “knows of the existence of the conspiracy, agrees to become a party, and with that knowledge commits some act in furtherance of the conspiracy.” *Anesthesia Advantage, Inc. v. Metz Grp.*, 708 F. Supp. 1180 (D. Colo. 1989).

Plaintiff’s Complaint fails to even hazard a guess as to what the “object to be accomplished” of the alleged conspiracy may have been and fails to present any evidence of an agreement to an unlawful means or end. *See Wright*, 2024 COA at ¶65; *see also Rosenblum*, 2023 COA at ¶52. Mr. Freedberg was retained by Ms. Glassman to provide expert forensic accounting analysis of Plaintiff and his ex-wife. He was paid based on the work he performed, and his compensation was in no way contingent upon the outcome of the underlying dissolution matter. Plaintiff fails to identify what, if any, means the alleged conspiracy was created to achieve. This baseless and vague claim reflects the majority of Plaintiff’s Complaint, wherein Plaintiff appears content to leap to non-sensical conclusions about the nefarious intentions of everyone involved in the Dissolution matter, without considering what motivations may have guided them. By failing to present any facts outlining what object was to be accomplished through the alleged conspiracy, Plaintiff has failed to state a claim upon which relief can be granted with respect to his Civil Conspiracy claim against Mr. Freedberg, and it must be dismissed.

Further, Plaintiff’s Complaint fails to assert what unlawful overt acts Mr. Freedberg engaged in to support his claim. Plaintiff contends that his ex-wife “unlawfully releas[ed] corporate financial data without Plaintiff’s consent,” and that Mr. Freedberg improperly utilized Tool Studios LLC’s internal financial records in drafting the rebuttal report. *Complaint*, at p.4.

Aside from the legal conclusion that Ms. Varvel’s release of corporate financial data was unlawful, the Complaint does not identify what, if any, unlawful acts any party to this matter committed in furtherance of the alleged conspiracy. Further, the Complaint provides no allegations of Mr. Freedberg’s unlawful acts whatsoever. Instead, Plaintiff leaves it to the Court to read between the lines of his Complaint to surmise the illegal and duplicitous acts Mr. Freedberg may have been engaged in while drafting the rebuttal report. This type of vague and conclusory pleading is precisely what the proper enforcement C.R.C.P. 12(b)(5) is intended to avoid. Finally, Mr. Freedberg’s opinions were tested through the adversarial process and gatekeeping functions by the Court and no illegal acts were uncovered, nor are there. Accordingly, Plaintiff’s Civil Conspiracy claim fails to rise above the speculative level and does not provide plausible grounds to infer that a claim exists or is pled with the requisite specificity and must be dismissed. *Warne*, 373 P.3d at 591.

E. Plaintiff’s Unjust Enrichment Claim Fails as a Matter of Law as Mr. Freedberg Did not Receive a Benefit at Plaintiff’s Expense

To succeed on his claim for Unjust Enrichment, Plaintiff must establish that: (1) Mr. Freedberg received a benefit; (2) at Plaintiff’s expense; (3) under circumstances that would make it unjust for the Mr. Freedberg to retain the benefit without commensurate compensation. *Pulte Home Corp., Inc. v. Countryside Cmty. Ass’n, Inc.*, 2016 CO 64, ¶63. “If [a] plaintiff does not convey the benefit, plaintiff cannot claim unjust enrichment.” *Dove Valley Bus. Park Assocs., Ltd v. Bd. Of Cnty. Comm’rs of Arapahoe Cnty.*, 923 P.2d 242 (Colo. App. 1995); *see also Spencer Invs., Inc. v. Bohn*, 923 P.2d 140 (Colo. App. 1995).

Plaintiff contends that Mr. Freedberg’s receipt of payment and other unidentified “benefits” resulting from his work in the underlying Dissolution and reliance on “unauthorized corporate

information” support a claim for unjust enrichment. *Complaint*, at p.7. However, the Complaint entirely fails to identify how this benefit came at Plaintiff’s expense, and how retention of these payments (presumably, his payments by his ex-wife’s counsel arising from his engagement as an expert in the Dissolution) and unidentified “benefits” would be unjust. Accordingly, Plaintiff has failed to establish this claim beyond the speculative level, and it must be dismissed.

F. Demand for Fees and Costs

Because Plaintiff’s claims against Mr. Freedberg lack merit, he is entitled to receive reasonable attorneys fees for being forced to defend this frivolous action.

Under Colo. Rev. Stat. § 13-17-102:

[I]n any civil action of any nature commenced or appealed in any court of record by this state, the court shall award, by way of separate order, reasonable attorneys fees against any attorney or party who has brought or defended a civil action, either in whole or in part, that the court determines lacked substantial justification

A claim “lacks substantial justification when it substantially frivolous, groundless, or vexatious.”

In re Marriage of Roddy & Betherum, 2014 COA 96, ¶34 (citing *Mitchell v. Ryder*, 104 P.3d 316, 321 (Colo. App. 2004)). Vexatious claims include those brought or maintained in bad faith, in that it is arbitrary, abusive, stubbornly litigious, or disrespectful of the truth. *Id.*(citing *City of Black Hawk v. Ficke*, 215 P.3d 1129, 1132 (Colo. App. 2008)). Likewise, a claim is substantially frivolous “if the proponent can present no rational argument based on the law or evidence to support it.” *In re Est. of Becker*, 68 P.3d 567, 569 (Colo. App. 2003)(citing *Western United Realty, Inc. v. Isaacs*, 679 P.2d 1083 (Colo. 1984)).

As discussed throughout this Motion, all of Plaintiff’s claims against Mr. Freedberg should be dismissed as a matter of law under C.R.C.P. 12(b)(5). Plaintiff’s claims and prior conduct in the Dissolution matter is abusive, stubbornly litigious, and disrespectful to the truth. Likewise,

Plaintiff has raised no rational arguments to support his claims. Accordingly, Mr. Freedberg is entitled to attorneys' fees for having to defend against Plaintiff's baseless claims.

CONCLUSION

As detailed above, Plaintiff's claims should be dismissed in their entirety, and Mr. Freedberg should receive the full value of his attorney's fees and costs expended in defending against this frivolous suit. First, Plaintiff's Complaint fails as a matter of law based on Plaintiff's lack of standing to bring this suit against Mr. Freedberg. Second, Plaintiff's fraudulent misrepresentation claim fails to plead with particularity the allegedly fraudulent acts Mr. Freedberg engaged in and fails to establish Plaintiff's reliance on those acts. Third, Plaintiff's negligence claim fails as a matter of law, as Mr. Freedberg held no duty of care towards him, under contract or common law. Fourth, Plaintiff's civil conspiracy claim fails to present sufficient factual allegations to rise above the speculative level required to defeat a motion to dismiss. Finally, Plaintiff's unjust enrichment claim fails to establish the necessary element of a benefit conferred by Plaintiff to Mr. Freedberg.

For the foregoing reasons, Mr. Freedberg respectfully request that the Court dismiss Plaintiff's Complaint with prejudice, and award him all fees and costs expended in defending this action.

Respectfully submitted this 29th day of May, 2025.

LEWIS BRISBOIS BISGAARD & SMITH LLP

/s/ Adam Wiens _____

Adam B. Wiens, #36357

Ryan P. Dunn, #59340

1700 Lincoln Street, Suite 3500

Denver, Colorado 80203

Phone: (303) 861-7760

Attorneys for Defendant Jay Freedberg

CERTIFICATE OF SERVICE

I hereby certify that on 29th day of May, 2025, a true and correct copy of the foregoing **DEFENDANT JAY FREEDBERG'S MOTION TO DISMISS PLAINTIFF'S COMPLAINT AND JURY DEMAND** was e-filed with the Clerk of Court via CCES which will send notification of such filing to all counsel of record.

Terri K. O'Brien _____

Of Lewis Brisbois Bisgaard and Smith LLP

BOULDER COUNTY DISTRICT COURT, COLORADO
1777 Sixth Street
Boulder, CO 80302
303.441.3750

DATE FILED
May 29, 2025 2:10 PM
FILING ID: 56A57002D4E4E
CASE NUMBER: 2025CV80

Plaintiff: Charles R. Bell

vs.

Defendants: Jay E. Freedberg, CPA/ABV/CFF; Carol
Glassman, Esq; Nelissa Milfield, Esq.

Attorneys for Defendant, Jay E. Freedberg, CPA/ABV/CFF
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▲ COURT USE ONLY ▲

Case No. 2025CV000080

Division: 2

**DEFENDANT JAY FREEDBERG'S MOTION TO DISMISS PLAINTIFF'S
COMPLAINT AND JURY DEMAND**

Defendant Jay Freedberg through undersigned counsel, move the Court to dismiss Plaintiff Charles Bell's Complaint pursuant to C.R.C.P. 12(b)(5). In support thereof, Mr. Freedberg states as follows:

CERTIFICATION PURSUANT TO C.R.C.P. 121§1-15(8)

Undersigned counsel conferred with Plaintiff about the complaint requested herein. Plaintiff is opposed.

PRELIMINARY STATEMENT

This case arises from Plaintiff's ongoing attempt to redress alleged wrongdoings in the 2022 Dissolution of Marriage Matter between Plaintiff, and his now ex-wife Alyson Varvel (formerly Bell) in the Boulder District Court (2022DR30458) ("Dissolution"). Plaintiff's Complaint and Jury Demand (the "Complaint") asserts claims for (1) Fraudulent Misrepresentation; (2) Professional Negligence; (3) Civil Conspiracy; and (4) Unjust Enrichment against Mr. Freedberg.

This case and Complaint are the latest chapter in Plaintiff's ongoing crusade to punish anyone and everyone involved in the Boulder County District Court's decision to accept Mr. Freedberg's properly vetted expert rebuttal report.¹ Throughout this crusade, Plaintiff has been repeatedly admonished for his continuing harassment and abuse of the judicial process connected with the underlying Dissolution. This Complaint operates as an extension of Plaintiff's ongoing effort to harass and abuse the judicial process to go after Mr. Freedberg, his ex-wife's C.R.C.P. 26(a)(2) expert witness, to strong arm him into withdrawing his opinions in the underlying Dissolution, despite the fact that Mr. Freedberg's opinions included within his C.R.C.P. 26(a)(2) expert rebuttal report (the "rebuttal report") were adopted and accepted by Judge Salomone of the Boulder County District Court through the adversarial process.

As an initial matter, Plaintiff's Complaint fails to establish standing to bring this suit. Colorado law is clear, expert witnesses may not be subject to civil liability for opinions and

¹ On April 28, 2025, Plaintiff provided undersigned counsel with a draft copy of his OARC Complaint against them for defending Mr. Freedberg from Plaintiff's frivolous claims in this matter and the parallel Colorado Accountancy Board matter. Plaintiff's abuse of process seemingly knows no bounds. *Exhibit 1*.

testimony provided at trial, including within their expert reports. Accordingly, Plaintiff's claims fail as a matter of law without the need to entertain their alleged merits.

Assuming however, that Plaintiff's claims can survive this standing issue, the Complaint is wholly unsupported by the allegations therein. For instance, the Complaint, as further described below, fails to identify any duties Mr. Freedberg owed Plaintiff, under either common law or contract. In fact, as a rebuttal witness, he effectively owed Plaintiff the opposite of a duty of care, as he was expressly retained to scrutinize Plaintiff's preferred report. Plaintiff is free to file a Complaint with the Colorado Accountancy Board, which he has already done, to address these alleged issues, but the fact that he disliked or disagreed with Mr. Freedberg's expert opinions does not provide Plaintiff with grounds to file this frivolous lawsuit. Likewise, Plaintiff's fraud, civil conspiracy, and unjust enrichment claims fail to present sufficient factual backing to survive a motion to dismiss. Accordingly, this Court should grant Mr. Freedberg's Motion to Dismiss, and award him reasonable attorney fees and costs expended defending against Plaintiff's frivolous action.

LEGAL AUTHORITY

Mr. Freedberg moves the Court to dismiss Plaintiff's Complaint pursuant to C.R.C.P. 12(b)(5) because it fails to include and/or fails to allege sufficient facts to state facially plausible claims for relief and because it fails as a matter of law. *Warne v. Hall*, 373 P.3d 588 (Colo. 2016)) ("[O]nly a complaint that states a plausible claim for relief survives a motion to dismiss.") (adopting and applying the federal "plausibility" standard first set forth in *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 570 (2007), and later clarified in *Ashcroft v. Iqbal*, 556 U.S. 662 (2007);

see also W. Innovations, Inc. v. Sonitrol Corp., 187 P.3d 1155, 1158 (Colo. App. 2008) (dismissing a plaintiff's complaint when the substantive law does not support the claims asserted).

A motion to dismiss tests the formal sufficiency of the Complaint and allows for early dismissal of meritless claims. *Pub. Serv. Co. of Colo. v. Van Wyck*, 27 P.3d 377, 385 (Colo. 2001). While the Court must "accept all factual allegations in the [C]omplaint as true and view them in the light most favorable to the plaintiff," the Court is "not required to accept as true legal conclusions that are couched as factual allegations." *Denver Post. Corp. v. Ritter*, 255 P.3d 1083, 1088 (Colo. 2001) (emphasis added); *see also Ashcroft*, 556 U.S. at 678 ("Threadbare recitals of the elements of a cause of action, supported by mere conclusory statements, do not suffice."); *see also Warne*, 373 P.3d at 596, ¶ 27 (observing that conclusory, ambiguous and/or formulaic allegations, along with bare legal conclusions, cannot support a party's claim when faced against a Rule 12(b)(5) Motion).

Where a complaint lacks factual allegations sufficient to raise a right to relief "above a speculative level" and does not provide "plausible grounds to infer" a claim exists under Colo. R. Civ. P. 8 and 12(b)(5), it must be dismissed. *Warne v. Hall*, 373 P.3d 588, 591 (Colo. 2016) ("only a complaint that states a plausible claim for relief survives a motion to dismiss") (quoting *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 556).

The dismissal of Plaintiff's Complaint is proper because the "factual allegations in the Complaint cannot, as a matter of law, support the claim for relief." *Bewley v. Semler*, 432 P.3d 582, 586 (Colo. 2018) (emphasis added) (internal quotation omitted); *see also Western Innovations, Inc. v. Sonitrol Corp.*, 187 P.3d 1155, 1158 (Colo. App. 2008) ("[A] complaint may be dismissed if the substantive law does not support the claims asserted."); *see also BRW Inc., v. Dufficy & Sons*,

Inc., 99 P.3d 66, 71 (Colo. 2004)(“A motion to dismiss is properly granted when plaintiff’s factual allegations cannot support a claim as a matter of law.”)

ARGUMENT

A. Plaintiff Lacks Standing to Bring Claims Against Mr. Freedberg.

Plaintiff’s Complaint seeks to attach civil liability to Mr. Freedberg for the opinions he rendered in the Dissolution as a duly qualified forensic accounting expert in the rebuttal report. *Complaint*, p.1. “At common law, witnesses are absolutely immune from civil liability for testimony given in judicial proceedings.” *Wolf v. Brenneman*, 2024 COA 71, ¶29. This immunity extends to expert witnesses for their testimony at trial and activities connected therewith. *Dalton v. Miller*, 984 P.2d 666, 668-9 (Colo. App. 1999); citing *Brisco v. LaHue*, 460 U.S. 325 (1983)(noting that imposing civil liability for testimony in a judicial proceeding could have the effect of inducing self-censorship.)

In *Dalton*, the Colorado Court of Appeals affirmed in part the district court’s decision to dismiss a plaintiff’s claims for misrepresentation and deceit, intent to cause loss of improved chances for recover and increased risk of harm, invasion of privacy, abuse of process, intentional infliction of emotional distress and outrageous conduct, and civil conspiracy levied against the defendant, a formerly adverse expert psychiatrist, to the extent those complaints arose from the defendant’s expert report and recorded deposition testimony. *Dalton*, 984 P.2d at 670. In arriving at this conclusion, the Court of Appeals determined that the expert was entitled to “immunity for the contents of the report he prepared for counsel or insurer, which detailed his conclusions from his examination of plaintiff.” *Id.* at 669. In the *Dalton* opinion, the Court of Appeals described the crucial role witness immunity played in ensuring proper expert testimony:

If shadowed by the threat of liability, a witness might testify in a manner that would prevent a potential lawsuit, but would deprive the court of the benefit of candid, unbiased testimony. However, if the threat of subsequent civil liability is removed, witness reliability is otherwise ensured by oath, cross-examination, and the threat of criminal prosecution for perjury.

Id. (citing *Awai v. Kotin*, 872 P.2d 1332 (Colo. App. 1993)).

Here, all of Plaintiff's alleged damages arise directly from Mr. Freedberg's allegedly improper rebuttal report. Setting aside the lack of factual support for these allegations and the overwhelming judicial history supporting the rebuttal report, Mr. Freedberg is entitled to immunity from Plaintiff's claims per Colorado law. *See Dalton*, 984 P.2d. 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. *Exhibit 2*, Permanent Orders: Dissolution of Marriage, at p.1; *Exhibit 3*, Jay Freedberg's C.R.C.P. 26(a)(2) Disclosure Certificate. His rebuttal report underwent judicial scrutiny in the underlying dissolution of marriage case, and his opinions within the report were filed under the threat of perjury. Allowing Plaintiff to continue dragging Mr. Freedberg's reputation through the mud, despite his full compliance with the rules governing expert witnesses, will only serve to dissuade Mr. Freedberg and future witnesses from providing the Court with candid and unbiased testimony. *See Dalton*, 984 P.2d at 669.

Accordingly, because Mr. Freedberg is entitled to witness immunity for civil claims against him, and because Plaintiff's claims all derive from alleged improprieties within the rebuttal report itself, Plaintiff's claims against Mr. Freedberg must be dismissed for lack of standing. On this basis alone, all of Plaintiff's claims should be dismissed and Mr. Freedberg should be awarded all fees and costs in responding to Plaintiff's complaint.

B. Plaintiff's Fraudulent Misrepresentation Claim is Barred by Its Failure to State a Plausible Claim.

To establish his fraudulent misrepresentation claim against Mr. Freedberg, Plaintiff must show that: (1) Mr. Freedberg made a fraudulent misrepresentation of material fact; (2) that he relied on the misrepresentation; (3) that he was justified in relying on the misrepresentation; and (4) that his reliance on Mr. Freedberg's misrepresentation resulted in damages. *Barnes v. State Farm Mut. Auto. Ins. Co.*, 2021 COA 89, ¶28.

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Aside from the legal conclusion that Ms. Varvel’s release of corporate financial data was unlawful, the Complaint does not identify what, if any, unlawful acts any party to this matter committed in furtherance of the alleged conspiracy. Further, the Complaint provides no allegations of Mr. Freedberg’s unlawful acts whatsoever. Instead, Plaintiff leaves it to the Court to read between the lines of his Complaint to surmise the illegal and duplicitous acts Mr. Freedberg may have been engaged in while drafting the rebuttal report. This type of vague and conclusory pleading is precisely what the proper enforcement C.R.C.P. 12(b)(5) is intended to avoid. Finally, Mr. Freedberg’s opinions were tested through the adversarial process and gatekeeping functions by the Court and no illegal acts were uncovered, nor are there. Accordingly, Plaintiff’s Civil Conspiracy claim fails to rise above the speculative level and does not provide plausible grounds to infer that a claim exists or is pled with the requisite specificity and must be dismissed. *Warne*, 373 P.3d at 591.

E. Plaintiff’s Unjust Enrichment Claim Fails as a Matter of Law as Mr. Freedberg Did not Receive a Benefit at Plaintiff’s Expense

To succeed on his claim for Unjust Enrichment, Plaintiff must establish that: (1) Mr. Freedberg received a benefit; (2) at Plaintiff’s expense; (3) under circumstances that would make it unjust for the Mr. Freedberg to retain the benefit without commensurate compensation. *Pulte Home Corp., Inc. v. Countryside Cmty. Ass’n, Inc.*, 2016 CO 64, ¶63. “If [a] plaintiff does not convey the benefit, plaintiff cannot claim unjust enrichment.” *Dove Valley Bus. Park Assocs., Ltd v. Bd. Of Cnty. Comm’rs of Arapahoe Cnty.*, 923 P.2d 242 (Colo. App. 1995); *see also Spencer Invs., Inc. v. Bohn*, 923 P.2d 140 (Colo. App. 1995).

Plaintiff contends that Mr. Freedberg’s receipt of payment and other unidentified “benefits” resulting from his work in the underlying Dissolution and reliance on “unauthorized corporate

information” support a claim for unjust enrichment. *Complaint*, at p.7. However, the Complaint entirely fails to identify how this benefit came at Plaintiff’s expense, and how retention of these payments (presumably, his payments by his ex-wife’s counsel arising from his engagement as an expert in the Dissolution) and unidentified “benefits” would be unjust. Accordingly, Plaintiff has failed to establish this claim beyond the speculative level, and it must be dismissed.

F. Demand for Fees and Costs

Because Plaintiff’s claims against Mr. Freedberg lack merit, he is entitled to receive reasonable attorneys fees for being forced to defend this frivolous action.

Under Colo. Rev. Stat. § 13-17-102:

[I]n any civil action of any nature commenced or appealed in any court of record by this state, the court shall award, by way of separate order, reasonable attorneys fees against any attorney or party who has brought or defended a civil action, either in whole or in part, that the court determines lacked substantial justification

A claim “lacks substantial justification when it substantially frivolous, groundless, or vexatious.”

In re Marriage of Roddy & Betherum, 2014 COA 96, ¶34 (citing *Mitchell v. Ryder*, 104 P.3d 316, 321 (Colo. App. 2004)). Vexatious claims include those brought or maintained in bad faith, in that it is arbitrary, abusive, stubbornly litigious, or disrespectful of the truth. *Id.*(citing *City of Black Hawk v. Ficke*, 215 P.3d 1129, 1132 (Colo. App. 2008)). Likewise, a claim is substantially frivolous “if the proponent can present no rational argument based on the law or evidence to support it.” *In re Est. of Becker*, 68 P.3d 567, 569 (Colo. App. 2003)(citing *Western United Realty, Inc. v. Isaacs*, 679 P.2d 1083 (Colo. 1984)).

As discussed throughout this Motion, all of Plaintiff’s claims against Mr. Freedberg should be dismissed as a matter of law under C.R.C.P. 12(b)(5). Plaintiff’s claims and prior conduct in the Dissolution matter is abusive, stubbornly litigious, and disrespectful to the truth. Likewise,

Plaintiff has raised no rational arguments to support his claims. Accordingly, Mr. Freedberg is entitled to attorneys' fees for having to defend against Plaintiff's baseless claims.

CONCLUSION

As detailed above, Plaintiff's claims should be dismissed in their entirety, and Mr. Freedberg should receive the full value of his attorney's fees and costs expended in defending against this frivolous suit. First, Plaintiff's Complaint fails as a matter of law based on Plaintiff's lack of standing to bring this suit against Mr. Freedberg. Second, Plaintiff's fraudulent misrepresentation claim fails to plead with particularity the allegedly fraudulent acts Mr. Freedberg engaged in and fails to establish Plaintiff's reliance on those acts. Third, Plaintiff's negligence claim fails as a matter of law, as Mr. Freedberg held no duty of care towards him, under contract or common law. Fourth, Plaintiff's civil conspiracy claim fails to present sufficient factual allegations to rise above the speculative level required to defeat a motion to dismiss. Finally, Plaintiff's unjust enrichment claim fails to establish the necessary element of a benefit conferred by Plaintiff to Mr. Freedberg.

For the foregoing reasons, Mr. Freedberg respectfully request that the Court dismiss Plaintiff's Complaint with prejudice, and award him all fees and costs expended in defending this action.

Respectfully submitted this 29th day of May, 2025.

LEWIS BRISBOIS BISGAARD & SMITH LLP

/s/ Adam Wiens _____

Adam B. Wiens, #36357

Ryan P. Dunn, #59340

1700 Lincoln Street, Suite 3500

Denver, Colorado 80203

Phone: (303) 861-7760

Attorneys for Defendant Jay Freedberg

CERTIFICATE OF SERVICE

I hereby certify that on 29th day of May, 2025, a true and correct copy of the foregoing **DEFENDANT JAY FREEDBERG'S MOTION TO DISMISS PLAINTIFF'S COMPLAINT AND JURY DEMAND** was e-filed with the Clerk of Court via CCES which will send notification of such filing to all counsel of record.

Terri K. O'Brien _____

Of Lewis Brisbois Bisgaard and Smith LLP

1 And at this point, is it right that the parties agree
2 I will hear from Mr. Freedberg?

3 MS. GLASSMAN: Yes. We've agreed that he will be
4 called out of order.

5 THE COURT: Okay. And he is to be direct examined?

6 MS. GLASSMAN: Yes, Your Honor.

7 THE COURT: With no report serving as the necessary
8 basis for anything up to now?

9 MS. GLASSMAN: That is correct.

10 THE COURT: I understand.

11 MS. GLASSMAN: Just a regular --

12 THE COURT: Witness.

13 Good morning.

14 MR. FREEDBERG: Good morning.

15 JAY FREEDBERG, CO-PETITIONER'S WITNESS, SWORN

16 THE COURT: Thank you.

17 DIRECT EXAMINATION

18 BY MS. GLASSMAN:

19 Q Mr. Freedberg, I will be referring to the black book,
20 which are the lettered exhibits. And we're going to do some
21 flipping around, so --

22 A Okay.

23 Q -- put your seatbelt on. For the record, please
24 state your name.

25 A Jay Freedberg.

1 well as his own messages in GGG.

2 The attorney fees -- it is true that the attorney
3 fees have been high, but Ms. Bell's credible testimony supports
4 the fact that the reason why we're here and the reason why
5 we've gotten to trial is because the parties were unable to
6 reach an agreement. And it's Husband's actions in large part
7 that resulted in that and the failure to do so. Something
8 important to note is that Mr. Bell stated that the Gaddis law
9 firm, in fact, asked for a very large retainer for the trial
10 that was larger than the retainer that Ms. Glassman had
11 requested. And so the Court needs to take into consideration
12 when looking at the reasonableness of the fees and what this
13 case entailed.

14 Don't forget that the reason why we had a second
15 valuation and a rebuttal is because of the disagreement of the
16 first. Mr. Bell requested, through Mr. Gaddis, the second
17 valuation. There was a -- Mr. Bell didn't even agree with
18 that. We got the rebuttal, and here we are. So this has been
19 a case that's been replete with the inability for Mr. Bell to
20 make a decision, his inability to provide answers. And the
21 Court can only look at his deposition and the way he testified
22 and make that finding.

23 THE COURT: I have a question about timeline that
24 really starts with a disclosure. I'm probably 60 to 90 days
25 out on this order because of how much I have on my plate with

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ALYSON BELL
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DECEMBER 31, 2022
CLIENT CODE: 1411.01

MATTER: DISSOLUTION

PROFESSIONAL SERVICES

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
December 2, 2022		
CEG	Numerous emails with Stephanie regarding Parenting Time and initial pleadings	0.40
December 3, 2022		
CEG	Read email exchnages; Telephone conference with client	0.75
December 5, 2022		
ML	T/C with Alyson to obtain SSN's; Input information in initial documents	0.20
CEG	Telephone conferences (x2) with Alyson; Email to Opposing Counsel regarding Parenting Time proposal	0.40
CEG	Read and respond to Opposing Counsel; Read and respond to client	0.40
December 6, 2022		
CEG	Read and respond to email; Read lengthy email from Charles to Alyson; Email with Opposing Counsel's paralegal; Respond to Alyson	0.20
December 7, 2022		
CEG	Read and respond to email	0.20
CEG	Read email from client; Email to Stephanie; Withdrawal of funds from account	0.20
December 8, 2022		
ML	Email to Alyson regarding financial disclosures; Create Dropbox for same.	0.20

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
December 9, 2022		
CEG	Follow up with Stephanie regarding \$15,000 withdrawal	0.10
CEG	Read and respond to email from Stephanie	0.20
CEG	Emails with Opposing Counsel and client regarding all pending issues	0.75
December 10, 2022		
CEG	Emails with client	0.50
December 11, 2022		
CEG	Read client's email and texts between parties; Email to Stephanie regarding finances; Respond to client regarding insurance	0.35
December 12, 2022		
CEG	Read emails between parties; Respond to client	0.20
December 13, 2022		
ML	Update pleadings index with initial documents filed in case.	0.30
CEG	Read and respond to client's email; Email to S. Fournier; Read S. Fournier's email; Respond to email to S. Fournier; Read additional email from Stephanie and Alyson; Set conference; Read email from client; Email regarding Initial Status Conference date	0.40
December 16, 2022		
CEG	Read exchange between parties; Forward bank account information to Opposing Counsel; Email to Alyson regarding same	0.20
CEG	Review P&Ls; Read and respond to email regarding Camryn's parenting time	0.50
CEG	Telephone conference with Alyson	0.30
December 17, 2022		
CEG	Draft Stipulation and Order	0.75
December 19, 2022		
CEG	Email exchanges with client	0.35

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
CEG	Review first draft of Stipulation and Order; Email to client regarding same	0.35
ML	Format first draft of Stipulation Regarding Interim Agreements and proposed Order	0.25
ML	Index Notice of Initial Status Conference in client file; Calendar same; Email to client with instructions.	0.25
December 20, 2022		
CEG	Read numerous emails from client and respond to same	0.40
ML	Download Alyson's 16.2 disclosure documents from Dropbox in client file (.15); Format first draft of Certificate of Compliance (.6)	0.75
December 21, 2022		
CEG	Read emails; Email to Stephanie	0.35
ML	Continue Certificate of Compliance	0.40
CEG	Read and respond to emails	0.65
December 22, 2022		
ML	Index Motion to Withdraw in client file; Calendar deadline to respond.	0.20
CEG	Read Motion to Withdraw; Email to Alyson regarding same	0.20
December 28, 2022		
CEG	Read email from client and text from Charles; Respond to same	0.30
December 29, 2022		
CEG	Read email from client	0.20
December 30, 2022		
CEG	Read email from Erin Pierce; Read Entry of Appearance; Telephone conference with Erin; Telephone conference with client; Revise Stipulation; Email to client regarding same	1.25
December 31, 2022		
CEG	Read email from client regarding Charles and Camryn	0.10

SUMMARY OF SERVICES

Attorney/Glassman	10.95 hrs @ 400.00	\$	4,380.00
Paralegal/LaPlume	2.55 hrs @ 175.00	\$	446.25

TOTAL PROFESSIONAL SERVICES	13.50 HOURS		<u>\$ 4,826.25</u>
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COSTS AND DISBURSEMENTS

<u>DATE</u>	<u>DESCRIPTION</u>		<u>AMOUNT</u>
12/12/22	E-filing charges	24.00	
	TOTAL COSTS AND DISBURSEMENTS		<u>\$ 24.00</u>

TOTAL NEW CHARGES		<u>\$ 4,850.25</u>
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Applied from Retainer/Trust Account	-4,850.25
RETAINER/TRUST ACCOUNT	

RETAINER/TRUST BALANCE FORWARD	\$ 6,535.00
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12/31/22 Applied from Retainer/Trust Account	<u>-4,850.25</u>
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NEW RETAINER/TRUST ACCOUNT BALANCE	\$ 1,684.75
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SUMMARY OF ACCOUNT

BALANCE FORWARD	\$ 0.00
PAYMENTS AND CREDITS	0.00
TOTAL NEW CHARGES	4,850.25
APPLIED FROM RETAINER/TRUST ACCOUNT	-4,850.25
PLEASE REPLENISH CLIENT TRUST FUNDS WITH	<u>\$ 5,815.25</u>
TOTAL AMOUNT DUE	\$ 5,815.25

ALYSON BELL
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JANUARY 31, 2023
CLIENT CODE: 1411.01

MATTER: DISSOLUTION

PROFESSIONAL SERVICES

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
January 1, 2023		
CEG	Read and respond to Erin's email	0.40
January 2, 2023		
CEG	Read email from client and supporting text messages; Respond to same	0.35
January 3, 2023		
CEG	Telephone conference with client	0.35
January 4, 2023		
ML	Index Entry of Appearance of E. Pierce and Parenting Certificate in client file; Input E. Pierce information into system; Forward documents to Alyson; Email to Alyson regarding parenting class	0.30
CEG	Read email from Erin regarding Stipulation; Email to Alyson	0.20
January 5, 2023		
CEG	Review Stipulation and emails to and from Erin	0.35
CEG	Read and respond to more emails	0.35
January 6, 2023		
CEG	Read email from client	0.20

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
January 8, 2023		
CEG	Telephone conference with Erin; Telephone conference with Alyson; Telephone conference with Erin; Review Alyson's financial disclosures	2.20
CEG	Read email from Charles; Email to Erin regarding same	0.20
January 9, 2023		
ML	E-file Alyson's Co-parenting Certificate; Index Order Granting Motion to Withdraw and Certificate in client file; Forward to Alyson.	0.25
CEG	Review revisions to Stipulation; Emails with client	0.40
CEG	Revise Stipulation; Emails with client; Read Charles' lengthy message; Email to Erin with revised Stipulation	0.35
CEG	Email regarding texts to Camryn	0.10
January 10, 2023		
CEG	Email to client regarding questions for Sworn Financial Statement	0.20
CEG	Read Alyson's response	0.20
January 11, 2023		
ML	Revise Alyson's Sworn Financial Statement and Certificate of Compliance	0.25
CEG	Read emails from client regarding communications with Camryn; Read Charles' emails to family members	0.35
January 12, 2023		
CEG	Read and respond to email regarding moving to 3rd Avenue	0.30
January 14, 2023		
CEG	Read communications regarding personal property removal; Email to Alyson; Email to Erin	0.50
CEG	Read email from Alyson and read and respond to Erin	0.30
CEG	Numerous emails with Alyson and Erin regarding removal of personal property and appraisal of marital home	0.40

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
CEG	Read and respond to emails	0.35
January 16, 2023		
CEG	Read and respond to emails regarding appraisal	0.25
January 17, 2023		
CEG	Read email regarding M. Baris; Email to client regarding same; Emails to Erin regarding same	0.30
January 18, 2023		
ML	Review C.R.C.P. 16.2 disclosures with CEG	1.40
ML	E-file Sworn Financial Statement and Certificate of Compliance; Index in client file; Forward to Alyson.	0.30
CEG	Numerous emails regarding Mitch Baris and Camryn; Review Sworn Financial Statement and Certificate of Compliance; Email to client; Review revisions	1.00
January 19, 2023		
ML	Index Charles' Certificate of Compliance filed with the Court; Download and review Charles' C.R.C.P. 16.2 disclosures; Forward to Alyson.	0.75
CEG	Read email from Erin regarding Initial Status Conference topics	0.20
January 20, 2023		
CEG	Meeting with client	0.60
CEG	Telephone conference with Erin	0.25
CEG	Appear for Initial Status Conference	0.30
January 23, 2023		
CEG	Read weekend correspondence; Email to Alyson regarding same	0.35
CEG	Review Charles' 16.2 disclosures; Draft email to Jeremy Harkness	0.75
January 24, 2023		
ML	Format first draft of Joint Expert Stipulation	0.30

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
ML	Update pleadings index in client file.	0.30
January 25, 2023		
ML	Calendar deadlines and reminders from Initial Status Conference Order and Pre-Hearing Order in Outlook, LTB, and wall calendar.	0.40
CEG	Review first draft of Joint Expert Stipulation	0.20
January 26, 2023		
ML	Final review of Joint Expert Stipulation with CEG	0.15
ML	Review email from E. Pierce; Finalize Joint Expert Stipulation; Circulate for parties' signatures via AdobeSign.	0.10
CEG	Read client email and exchange between parties; Telephone conference with Erin; Telephone conference with Alyson; Review Sworn Financial Statement; Telephone conference with Alyson	1.20
CEG	Revise Expert Stipulation; Instructions to paralegal; Email to Erin	0.30
CEG	Email exchanges with Alyson	0.20
January 27, 2023		
CEG	Email to Erin regarding unwanted contacts and status of Stipulation	0.20
January 28, 2023		
CEG	Read email from Erin and respond to same; Instructions to paralegal; Email to Jeremy regarding engagement	0.40
CEG	Read Alyson's responses and edit them; Forward to Erin	0.25
January 30, 2023		
CEG	Read email from Alyson; Email to Erin regarding same	0.25
CEG	Read email from Erin; Email to Alyson regarding same	0.20
January 31, 2023		
ML	E-file Joint Expert Stipulation; Receive Order from Court approving same; Index in client file; Forward to Alyson.	0.25

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
CEG	Telephone conference with Alyson and email to Erin	0.50

SUMMARY OF SERVICES

Attorney/Glassman	15.75 hrs @ 400.00	\$ 6,300.00
Paralegal/LaPlume	4.75 hrs @ 175.00	\$ 831.25

	20.50 HOURS	\$ 7,131.25
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COSTS AND DISBURSEMENTS

<u>DATE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
01/12/23	E-filing charges	24.00
01/19/23	E-filing charges	24.00
01/31/23	E-filing charges	24.00
TOTAL COSTS AND DISBURSEMENTS		\$ 72.00

TOTAL NEW CHARGES	\$ 7,203.25
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Applied from Retainer/Trust Account RETAINER/TRUST ACCOUNT	-7,203.25
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RETAINER/TRUST BALANCE FORWARD	\$ 1,684.75
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01/26/23	Retainer Received	7,500.00
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01/31/23	Applied from Retainer/Trust Account	-7,203.25
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NEW RETAINER/TRUST ACCOUNT BALANCE	\$ 1,981.50
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SUMMARY OF ACCOUNT

BALANCE FORWARD	\$ 0.00
PAYMENTS AND CREDITS	0.00
TOTAL NEW CHARGES	7,203.25
APPLIED FROM RETAINER/TRUST ACCOUNT	-7,203.25
PLEASE REPLENISH CLIENT TRUST FUNDS WITH	<u>\$ 5,518.50</u>
TOTAL AMOUNT DUE	\$ 5,518.50

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ALYSON BELL
ALYSONVARVELBELL@GMAIL.COM

FEBRUARY 28, 2023
CLIENT CODE: 1411.01

MATTER: DISSOLUTION

PROFESSIONAL SERVICES

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
February 1, 2023		
CEG	Email exchange with Alyson regarding dog; Email to Erin regarding same; Review proposed Stipulation; Email to Alyson regarding same; Read and respond to email regarding therapist; Email to Erin	0.75
February 2, 2023		
CEG	Email exchanges with Alyson; Accept changes to Stipulation Email to Erin regarding same	0.35
CEG	Email exchanges with Alyson	0.20
February 4, 2023		
CEG	Read emails from Alyson; Respond to same; Email to Erin; Email to Jeremy Harkness; Read and respond to Erin	0.50
February 5, 2023		
CEG	Read and respond to email	0.20
February 6, 2023		
CEG	Telephone conference with Alyson	0.75
February 7, 2023		
ML	Confer with CEG; Review email and upload documents provided by J. Harkness in Dropbox; Provide Dropbox link to Alyson, E. Six, and N. Milfeld; Forward engagement letter to Alyson	0.40

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
CEG	Organize documents sent from Erin for Jeremy; Instructions to paralegal; Read email from client	0.40
CEG	Telephone conference with Erin Pierce	0.75
CEG	Email to Alyson	0.35
CEG	Read and redact email from Alyson	0.20
CEG	Email to Erin; Read email regarding dog and forward to client	0.25
CEG	Read client email; Send redacted email to Erin; Read email from client	0.35
February 9, 2023		
ML	Review email from CEG; Email to G. Fleckenstein regarding information for appraisal of marital home	0.20
CEG	Read and respond to email	0.30
CEG	Read and respond to emails regarding appraisal; Read proposed email to Glenn Fleckenstein; Revise same; Instructions to paralegal	0.35
February 10, 2023		
CEG	Read Alyson's email with text from Charles regarding use of marital funds	0.20
February 14, 2023		
ML	Upload documents provided to J. Harkness to client file and Dropbox; Forward E. Six Dropbox link regarding J. Harkness files.	0.25
CEG	Read emails from client; Email to Erin regarding same	0.20
CEG	Read and respond to email from Erin; Email to Alyson; Email to Jennifer Norton	0.50
CEG	Read email regarding house repairs; Email to Monte Atkinson	0.25
February 15, 2023		
CEG	Read email from Alyson; Telephone call to Alyson	0.50
CEG	Read email and message regarding dogs; Respond to same	0.20

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
February 16, 2023		
CEG	Read and respond to email	0.10
CEG	Read emails regarding accountant ; Call Erin Pierce and left message	0.20
CEG	Read response from Erin Pierce	0.20
February 17, 2023		
CEG	Read Alyson's email; Telephone conference with Alyson; Respond to Erin's email; Review qualifications of Kathryn Bright	0.50
CEG	Telephone conference with Alyson	0.75
February 19, 2023		
CEG	Read emails regarding bookkeeper; Email to Erin regarding same	0.25
February 20, 2023		
CEG	Read email regarding on-going business; Respond to same; Read next email	0.25
CEG	Read and respond to email from Jolyn; Telephone conference with Alyson	0.60
February 24, 2023		
CEG	Telephone conference with forensic accountant	0.25
CEG	Read and respond to email regarding proposed PREs	0.20
February 27, 2023		
CEG	Read email; Telephone conference with Alyson	0.50
CEG	Email to Kevin Albert	0.10
CEG	Read email from Erin regarding PREs contacted; Read and respond to additional email from Allyson and read responses	0.40
February 28, 2023		
CEG	Telephone conference with Erin Pierce	0.75
CEG	Telephone conference with Alyson	0.40

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
CEG	Emails to Erin Pierce	0.30
CEG	Left detailed message for Li (Camryn's therapist)	0.10
CEG	Email to J. Harkness	0.10

SUMMARY OF SERVICES

Attorney/Glassman	13.50 hrs @ 400.00	\$ 5,400.00
Paralegal/LaPlume	0.85 hrs @ 175.00	\$ 148.75

TOTAL PROFESSIONAL SERVICES	14.35 HOURS	<u>\$ 5,548.75</u>
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COSTS AND DISBURSEMENTS

<u>DATE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
01/31/23	E-filing charges	24.00
02/27/23	Six Consulting LLC	583.50
	TOTAL COSTS AND DISBURSEMENTS	<u>\$ 607.50</u>

TOTAL NEW CHARGES	<u>\$ 6,156.25</u>
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Applied from Retainer/Trust Account	-6,156.25
RETAINER/TRUST ACCOUNT	

RETAINER/TRUST BALANCE FORWARD	\$ 1,981.50
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02/20/23	Retainer Received	7,500.00
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02/28/23	Applied from Retainer/Trust Account	<u>-6,156.25</u>
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NEW RETAINER/TRUST ACCOUNT BALANCE	\$ 3,325.25
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SUMMARY OF ACCOUNT

BALANCE FORWARD	\$ 0.00
PAYMENTS AND CREDITS	0.00
TOTAL NEW CHARGES	6,156.25
APPLIED FROM RETAINER/TRUST ACCOUNT	-6,156.25
PLEASE REPLENISH CLIENT TRUST FUNDS WITH	<u>\$ 4,174.75</u>
TOTAL AMOUNT DUE	\$ 4,174.75

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ALYSON BELL
ALYSONVARVELBELL@GMAIL.COM

MARCH 31, 2023
CLIENT CODE: 1411.01

MATTER: DISSOLUTION

PROFESSIONAL SERVICES

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
March 1, 2023		
ML	Create Marital Balance Sheet	0.75
ML	Format first draft of Stipulation Re Sale of Marital Home	0.20
CEG	Read and responded to email from Alyson; Emails to/from Erin Pierce; Emails with client regarding \$90,000 adjustment; Emails to Erin; Telephone conference with Alyson	0.90
March 2, 2023		
CEG	Telephone call to Erin Pierce	0.10
CEG	Telephone call to Erin Pierce; Emails to potential therapists; Left message for accountant	0.50
CEG	Draft Stipulation regarding sale of marital home	0.50
CEG	Read email for Jill Reiter; Email to Erin regarding same	0.30
March 3, 2023		
CEG	Read and forward gym email to Erin; Read email from Jennifer Norton and Lanning Schiller; Email to Erin regarding same; Sent email regarding sale of marital home	1.00
CEG	Telephone call to accountant; Telephone conference with Alyson	0.50
March 6, 2023		
CEG	Read and respond to Alyson's email; Telephone conference with S. Brown, Ph.D.;	0.50

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
	Email exchange with Erin	
CEG	Read intake form for Jill and respond to same; Read email regarding Kari Fraser	0.20
March 7, 2023		
CEG	Email to Jill Reiter; Read response from Erin	0.20
March 8, 2023		
ML	Review and save Tool Studios corporate documents sent to J. Harkness from Alyson in client file.	0.10
CEG	Telephone conference with Alyson; Review financial documents sent to Jeremy; Email to accountant	0.75
March 9, 2023		
CEG	Read email from Erin; Read email from Alyson and respond to Erin	0.20
March 10, 2023		
CEG	Read emails; Forward same to Erin	0.30
CEG	Forward additional documents; Email to Erin regarding status of marital home sales Stipulation and intake form to Jill Reiter	0.30
March 13, 2023		
CEG	Read email regarding weekend messages and responded to same	0.30
March 14, 2023		
CEG	Telephone conference with Alyson	0.50
CEG	Telephone conference with Erin Pierce	0.75
March 15, 2023		
CEG	Telephone conference with Alyson	0.50
CEG	Email exchange with Jill Reiter	0.20
March 16, 2023		
CEG	Read and respond to emails from Jeremy; Emails with Freedberg; Emails regarding	5.00

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
	setting mediation	
CEG	Read and respond to emails; Email to Erin	0.25
March 17, 2023		
CEG	Read and respond to email	0.10
CEG	Email to Jeremy	0.20
March 19, 2023		
CEG	Email exchanges regarding mediation date	0.10
March 20, 2023		
CEG	Meeting with J. Reiter	0.75
CEG	Telephone conference with Alyson	0.75
CEG	Email to Jill; Email to Li; Email to Erin regarding Charles' commitment to Jill and to mediation date; Email to Erin regarding phone plan	0.75
March 21, 2023		
CEG	Read and respond to Gaddis' email; Telephone conference with Alyson	1.60
March 22, 2023		
CEG	Telephone call to Opposing Counsel	0.50
March 23, 2023		
ML	Format first draft of Nominees and proposed Order for PRE	0.25
CEG	Read email from Gaddis to Reiter; Respond to same; Draft Joint Request for additional time to submit names of nominees to the court; Sent out emails to potential PREs; Telephone conference with Alyson regarding on-going emails with Gaddis	1.75
CEG	Telephone call to Gaddis; Draft Nominee pleading; Draft Motion Opposing PRE	1.75
March 27, 2023		
NM	Briefly review 14-10-127 in preparation for revising Petitioner's Motion Opposing the Appointment of PRE; Edit and revise Petitioner's Motion	1.00

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
CEG	Review revisions to Motion to Deny Parental Responsibilities Evaluation; Revise nominee Motion; Email exchange with John Gaddis	0.50
CEG	Telephone conference with Alyson	0.40
March 28, 2023		
ML	Format Order regarding Motion in Opposition of PRE; File with the Court	0.20
CEG	Read and respond to Gaddis' email; Revise motion; Email to Alyson	0.50
CEG	Read email from Jill Reiter; Email to Gaddis regarding same	0.20
CEG	Telephone conference with Alyson; Revise Motion; Sent out email regarding Jan Derk	0.60
March 29, 2023		
ML	Index Motion in Opposition of PRE in client file; Forward to Alyson	0.20
CEG	Read email from Jill Reiter; Email exchange with John Gaddis regarding vocational evaluation; Email to Erin regarding Jane Derk	0.35
March 30, 2023		
CEG	Read emails from Alyson; Telephone conference with Alyson; Email to Erin Pierce	0.50
March 31, 2023		
CEG	Emails with Jeremy Harkness; Multiple emails with John Gaddis regarding PRE; Review reports from Jeremy; Read court orders regarding PRE	1.50

SUMMARY OF SERVICES

Attorney/Glassman	26.55 hrs @ 400.00	\$ 10,620.00
Paralegal/LaPlume	1.70 hrs @ 175.00	\$ 297.50
Attorney/Milfeld	1.00 hr @ 325.00	\$ 325.00

	29.25 HOURS	\$ 11,242.50
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COSTS AND DISBURSEMENTS

<u>DATE</u>	<u>DESCRIPTION</u>		<u>AMOUNT</u>
03/24/23	E-filing charges	24.00	
03/27/23	Six Consulting LLC	459.00	
03/29/23	E-filing charges	24.00	
TOTAL COSTS AND DISBURSEMENTS			<u>\$ 507.00</u>

TOTAL NEW CHARGES \$ 11,749.50

Applied from Retainer/Trust Account
 RETAINER/TRUST ACCOUNT -10,825.25

RETAINER/TRUST BALANCE FORWARD \$ 3,325.25

03/07/23 Retainer Received 7,500.00

03/31/23 Applied from Retainer/Trust Account -10,825.25

NEW RETAINER/TRUST ACCOUNT BALANCE \$ 0.00

SUMMARY OF ACCOUNT

BALANCE FORWARD	\$ 0.00
PAYMENTS AND CREDITS	0.00
TOTAL NEW CHARGES	11,749.50
APPLIED FROM RETAINER/TRUST ACCOUNT	-10,825.25
PLEASE REPLENISH CLIENT TRUST FUNDS WITH	<u>\$ 7,500.00</u>

TOTAL AMOUNT DUE \$ 8,424.25

AGED BALANCE	CURRENT	OVER 30	OVER 60	OVER 90	TOTAL
FEES	924.25	0.00	0.00	0.00	924.25
COSTS	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
TOTAL	924.25	0.00	0.00	0.00	924.25

INTEREST WILL BE CHARGED ON PAST DUE AMOUNTS
 AT A PERCENTAGE RATE OF 18.00 PER ANNUM (1.5% MONTHLY)

CAROL GLASSMAN, P.C.
1790 38TH STREET, SUITE 300
BOULDER, CO 80301
(303) 442-1403

ALYSON BELL
ALYSONVARVELBELL@GMAIL.COM

APRIL 30, 2023
CLIENT CODE: 1411.01

MATTER: DISSOLUTION

PREVIOUS BALANCE DUE \$ 924.25

PROFESSIONAL SERVICES

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
April 3, 2023		
CEG	Read email from Alyson; Email to Erin about others attending Reunification Therapy	0.20
April 4, 2023		
ML	Send Alyson job search efforts template	0.10
April 5, 2023		
CEG	Read Dustin's email; Email from Gaddis; Email to accountants	0.30
April 6, 2023		
CEG	Read and respond to email from Jay; Email to Harkness; Email to Jay; Revise Marital Balance Sheet	0.50
April 9, 2023		
CEG	Read and respond to Gaddis' email	0.20
April 10, 2023		
CEG	Review emails from Sunday; Email to John Gaddis regarding same	0.20
April 13, 2023		
CEG	Read letter from Charles; Email to Jeremy; Follow up	0.20

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
April 14, 2023		
CEG	Send email to Alyson; Read email from Alyson and respond to same	0.25
April 18, 2023		
CEG	Meeting with client; Email to Gaddis; Email to client with worksheet; Email regarding Jeremy's report	1.50
CEG	Read feedback from Jay; Email to Jeremy regarding hypothetical	0.20
CEG	Email exchange with Gaddis	0.20
April 19, 2023		
CEG	Meeting with Six	0.20
April 21, 2023		
CEG	Read and respond to Allison's emails; Email to John Gaddis	0.35
CEG	Email exchange with Alyson	0.10
CEG	Read and respond to additional emails	0.35
CEG	Read and respond to emails regarding business valuation; Email to Jeremy regarding all cash accounts	0.20
April 25, 2023		
CEG	Read email from client; Emails to J. Freedberg; Instructions to paralegal regarding bank statements; Read email from client regarding closed bank account; Email to J. Freedberg regarding same; Read email from client regarding house and employment	0.50
April 26, 2023		
CEG	Read emails from J. Gaddis; Read email from J. Freedberg; Read email between J. Gaddis and J. Harkness; Email to J. Harkness; Email to J. Gaddis; Email to client	0.50
CEG	Read numerous emails and respond to same	0.35
April 27, 2023		
CEG	Read and respond to Gaddis' email regarding valuation; Review bank statements	0.75

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
	as of February 28; Numerous emails with Jay regarding Jeremy's requests; Email exchange with Alyson	
CEG	Additional email exchanges	0.25
CEG	Review email from Alyson; Email to Jeremy regarding updates to report	0.30
CEG	Read email from Gaddis; Draft response; Email to Alyson	0.25
April 28, 2023		
CEG	Numerous emails with John Gaddis, Jeremy Harkness and Peggy Goodbody regarding business valuation and mediation	1.00

SUMMARY OF SERVICES

Attorney/Glassman	8.85 hrs @ 400.00	\$	3,540.00
Paralegal/LaPlume	0.10 hrs @ 175.00	\$	17.50

TOTAL PROFESSIONAL SERVICES	8.95 HOURS	\$ 3,557.50
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COSTS AND DISBURSEMENTS

<u>DATE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
04/27/23	Six Consulting LLC - Professional Services	1,728.00
TOTAL COSTS AND DISBURSEMENTS		\$ 1,728.00

TOTAL NEW CHARGES	\$ 5,285.50
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Applied from Retainer/Trust Account RETAINER/TRUST ACCOUNT	-6,209.75
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RETAINER/TRUST BALANCE FORWARD	\$ 0.00
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04/05/23 Retainer Received	7,500.00
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04/30/23 Applied from Retainer/Trust Account	-6,209.75
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NEW RETAINER/TRUST ACCOUNT BALANCE	\$ 1,290.25
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SUMMARY OF ACCOUNT

BALANCE FORWARD	\$ 924.25
PAYMENTS AND CREDITS	0.00
TOTAL NEW CHARGES	5,285.50
APPLIED FROM RETAINER/TRUST ACCOUNT	-6,209.75
PLEASE REPLENISH CLIENT TRUST FUNDS WITH	<u>\$ 6,209.75</u>
TOTAL AMOUNT DUE	\$ 6,209.75

ALYSON BELL
ALYSONVARVELBELL@GMAIL.COM

MAY 31, 2023
CLIENT CODE: 1411.01

MATTER: DISSOLUTION

PROFESSIONAL SERVICES

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
May 2, 2023		
CEG	Read message exchange between parties about bookkeeping	0.10
May 3, 2023		
CEG	Read and respond to email from Alyson; Email to P. Goodbody; Email with Jeremy; Email to Alyson regarding updated statements	0.35
CEG	Read and respond to several emails; Email to Jill Reiter	0.50
May 4, 2023		
ML	Download updated statements received by Alyson; Rename and save in client file; Update Marital Balance Sheet; Forward updated statements to opposing counsel and request same.	1.25
ML	Format first draft of Confidential Mediation Statement to P. Goodbody (.4); Email from Alyson including additional statements/balances; Upload documents to client file; Forward to opposing counsel (.2)	0.60
May 5, 2023		
CEG	Conference with associate	0.25
CEG	Review email exchanges; Meeting with Alyson	1.35
May 7, 2023		
CEG	First draft of Confidential Mediation Statement	3.30

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
May 8, 2023		
CEG	Meeting with Jay Feinberg regarding income analysis over 4 years average	0.40
CEG	Email to clerk requesting status conference	0.35
CEG	Read email from Jill Reiter and Alyson regarding 5-way meeting	0.20
May 9, 2023		
MAL	Administrative assistant - Transcribe Confidential Mediation Statement	0.75
ML	Compile exhibits to Confidential Mediation Statement.	0.10
ML	Update pleadings in client file	0.25
CEG	Review draft report from J. Freedburg; Read two emails from Alyson regarding exchanges between parties; Review emails with J. Harkness regarding updated balance sheet; Emails (x2) to Alyson	0.75
CEG	Read email from Jon Gaddis; Email to J. Freedberg; Email exchange with Alyson	0.50
CEG	Review email from Judge Mulvihill; Email to client regarding same	0.20
May 10, 2023		
ML	Format first draft of CRE 408 Settlement Communication with CEG	1.50
CEG	Read additional emails; Telephone conference with Alyson; Read emails from J. and responded to same; Read Gaddis' email and responded regarding mediation; Instructions to paralegal	0.70
CEG	Mediation preparation	2.00
May 11, 2023		
CEG	Confidential Mediation Statement revisions	1.50
May 12, 2023		
CEG	Email to Alyson regarding 408 Communication	0.20
CEG	Read email from Gaddis and Motion to Withdraw; Read Alyson's proposed changes to 408 Communications; Instructions to paralegal	0.40

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
May 14, 2023		
CEG	Read and respond to Alyson's email; Instructions to paralegal regarding Gaddis' withdraw pleading	0.30
May 15, 2023		
CEG	Read and respond to emails from Gaddis	0.35
CEG	Numerous emails with Jay; Review documents; Instructions to paralegal	0.90
May 16, 2023		
ML	Download documents uploaded by B. Bueno at Causey to Dropbox; Forward to J. Freedberg and E. Six.	0.20
ML	Review Confidential Mediation Statement with CEG; Compile exhibits; Forward to Alyson for review	1.00
CEG	Instructions to paralegal; Respond to Gaddis' email to Jeremy	0.35
CEG	Telephone conference with J. Freedberg; Emails to J. Harkness	0.50
CEG	Revisions to Mediation statement and offer; Email from Gaddis	1.00
May 17, 2023		
ML	Review and finalize CRE 408 settlement communication, Marital Balance Sheet, Confidential Mediation Statement and exhibits; Forward emails to J. Gaddis and P. Goodbody regarding 5/18/23 mediation.	1.00
ML	Create mediation notebook for CEG	0.25
CEG	Review revisions to letter to Peggy and 408 Communications	0.50
CEG	Emails with Goodbody; Telephone conference with Six	0.25
CEG	Meeting with Jill Reiter	0.50
May 18, 2023		
CEG	Review emails from Charles	0.30
CEG	Mediation and client meeting	4.30
CEG	File Mediation Certificate	0.20

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
May 19, 2023		
CEG	Read email from Charles and Alyson's proposed response; Telephone conference with Alyson	0.50
May 21, 2023		
CEG	Read and respond to email; Read and respond to Goodbody email	0.20
May 22, 2023		
CEG	Read email from Charles; Instructions to paralegal regarding Parenting Plan	0.20
May 23, 2023		
MAL	Administrative assistant -Format first draft of Parenting Plan	0.80
CEG	Draft Parenting Plan	1.35
CEG	Review first draft of Parenting Plan	0.50
May 24, 2023		
ML	Attend Zoom meeting with CEG and Alyson regarding Parenting Plan.	0.50
CEG	Send Alyson first draft of Parenting Plan	0.10
CEG	Meeting with Alyson regarding Parenting Plan	1.00
May 25, 2023		
ML	Update client pleading file; Forward updated documents to Alyson	0.20
CEG	Email to Charles with Parenting Plan; Email to Alyson; Read email from Charles and Jill; Start deposition exhibit folder	0.40
May 28, 2023		
CEG	Read and respond to email	0.35
May 31, 2023		
CEG	Read email exchange between parties regarding business obligations; Email to Alyson regarding same	0.20

SUMMARY OF SERVICES

Attorney/Glassman	27.30 hrs @ 400.00	\$ 10,920.00
Administrative/LaPlume	1.55 hrs @ 65.00	\$ 100.75
Paralegal/LaPlume	6.85 hrs @ 175.00	\$ 1,198.75

TOTAL PROFESSIONAL SERVICES	35.70 HOURS	<u>\$ 12,219.50</u>
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COSTS AND DISBURSEMENTS

<u>DATE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
05/18/23	E-filing charges	24.00
05/31/23	Six Consulting LLC	2,979.00
	TOTAL COSTS AND DISBURSEMENTS	<u>\$ 3,003.00</u>

TOTAL NEW CHARGES	<u>\$ 15,222.50</u>
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Applied from Retainer/Trust Account	-8,790.25
RETAINER/TRUST ACCOUNT	

RETAINER/TRUST BALANCE FORWARD	\$ 1,290.25
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05/15/23	Retainer Received	7,500.00
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05/31/23	Applied from Retainer/Trust Account	<u>-8,790.25</u>
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NEW RETAINER/TRUST ACCOUNT BALANCE	\$ 0.00
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SUMMARY OF ACCOUNT

BALANCE FORWARD	\$ 0.00
PAYMENTS AND CREDITS	0.00
TOTAL NEW CHARGES	15,222.50
APPLIED FROM RETAINER/TRUST ACCOUNT	-8,790.25
PLEASE REPLENISH CLIENT TRUST FUNDS WITH	<u>\$ 7,500.00</u>
TOTAL AMOUNT DUE	\$ 13,932.25

AGED BALANCE	CURRENT	OVER 30	OVER 60	OVER 90	TOTAL
FEES	6432.25	0.00	0.00	0.00	6432.25
COSTS	0.00	0.00	0.00	0.00	0.00
TOTAL	6432.25	0.00	0.00	0.00	6432.25

INTEREST WILL BE CHARGED ON PAST DUE AMOUNTS
AT A PERCENTAGE RATE OF 18.00 PER ANNUM (1.5% MONTHLY)

EXHIBIT HHAA

CAROL GLASSMAN, P.C.
1790 38TH STREET, SUITE 300
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(303) 442-1403

ALYSON BELL
ALYSONVARVELBELL@GMAIL.COM

JUNE 30, 2023
CLIENT CODE: 1411.01

MATTER: DISSOLUTION

PREVIOUS BALANCE DUE \$ 6,432.25

PROFESSIONAL SERVICES

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
June 1, 2023		
CEG	Email exchange with Alyson; Email to Charles regarding status of Parenting Plan	0.20
CEG	Email to Bob Cooper and Courtney Cline	0.20
CEG	Read and respond to email from Courtney Cline	0.20
June 2, 2023		
CEG	Meeting with associate regarding Deposition preparation, case issues and discovery	0.75
CEG	Email to David Littman regarding PCDM appointment; Read emails from Charles	0.35
NM	Meeting with Ms. Glassman regarding case	0.60
June 5, 2023		
CEG	Read emails from Charles; Instructions to Nelissa; Review David Littman's curriculum vitae; Email to Alyson	0.40
CEG	Review case deadlines and numerous tasks with paralegal	0.35
NM	Review email correspondence with Mr. Bell; Multiple email correspondence regarding Parenting Plan, offer and deposition	0.20
NM	Review Confidential Mediation Statement and Exhibits	0.40
NM	Begin drafting deposition questions	0.50

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
June 7, 2023		
CEG	Read email from Charles regarding vocational assessment; Instructions to associate; Instructions to paralegal; Review Notice of Deposition	0.50
CEG	Review Jay Freedberg schedules; Email to Jay regarding finalizing report; Draft Witness Disclosure blurb; Email to all experts; Email to David Littman; Instructions to paralegal regarding expert report disclosures	0.75
ML	Format Notice of Deposition of Charles.	0.20
ML	E-serve Notice of Deposition of Charles Bell; Forward to Mr. Bell; Index in client file; Calendar date/time.	0.30
June 8, 2023		
NM	Continue drafting deposition questions	1.40
NM	Email correspondence with Mr. Bell regarding vocational assessment	0.10
June 9, 2023		
CEG	Read and respond to numerous emails; Review changes to Parenting Plan; Emails with associate	0.75
June 11, 2023		
CEG	Draft Motion for Stipulated Order regarding Jill Reiter; Meeting with Ms. Milfeld; Instructions to paralegal	0.75
NM	Draft Entry of Appearance as Co-Counsel	0.10
NM	File and serve Entry of Appearance as Co-Counsel	0.10
June 12, 2023		
CEG	Deposition preparation; Draft Witness Disclosures; Work on discovery; Review draft of Joint Motion and Stipulation	4.00
CEG	Revise Parenting Plan; Review Motion and Stipulated Order; Email to Alyson; Proposed email to Charles	0.50
ML	Format first draft of Witness Disclosures	0.35
ML	Format first draft of Motion Adopting Stipulated Order Regarding Reunification and Order.	0.35

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
NM	Meeting with Ms. Glassman regarding deposition and trial; Discuss Witness Disclosures; Discuss discovery; Discuss Parenting Plan; Finish deposition questions	4.80
June 13, 2023		
CEG	Read and respond to email regarding health insurance; Sent email to Charles with Parenting Plan and Motion	0.30
CEG	Email to K. Goff; Email to client	0.25
CEG	Review and revise discovery and Witness Disclosures to C. Bell	0.50
ML	Update pleading index in client file; Forward Entry of Appearances to Alyson.	0.25
ML	Request updated Rule 26 Disclosures from J. Freedberg and J. Harkness; Receive disclosures; Save in client Witness Disclosures file	0.20
June 14, 2023		
CEG	Email to K. Goff regarding direct communications from Charles; Read and respond to email regarding back dating Parenting Plan	0.40
NM	Review Co-Petitioner's Pattern and Non-Pattern Interrogatories to Petitioner; Review Co-Petitioner's Pattern and Non-Pattern Production of Documents to Petitioner; Review Co-Petitioner's Witness Disclosures	0.40
NM	Download and organize deposition exhibits	0.30
June 15, 2023		
CEG	Telephone conference with Jay Freedberg; Revise Witness Disclosures; Review changes to discovery requests; Instructions to paralegal; Email to Katie regarding Parenting Plan	1.00
June 16, 2023		
CEG	Telephone conference with Alyson	0.30
CEG	Read proposed changes from Katie Goff	0.20
June 18, 2023		
CEG	Read business valuation	0.60

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
June 19, 2023		
CEG	Read Charles' discovery requests and Witness Disclosures from Charles; Read email from Katie	0.30
June 20, 2023		
ML	Update pleading file; Calendar Alyson's discovery deadline.	0.30
CEG	Telephone conference with Alyson; Revise Parenting Plan; Email to Katie regarding same	1.30
CEG	Read email from Katie; Revise Parenting Plan and Stipulated Order; Emails with Alyson	0.65
June 21, 2023		
MAL	Administrative assistant - Format first draft of Order Appointing Decision Maker/Arb	0.40
ML	Format first draft of Alyson's discovery responses	0.40
CEG	Meeting with Eric Six	0.35
CEG	Email to Goeff	0.20
June 22, 2023		
ML	Emails with opposing counsel; Finalize Parenting Plan, Joint Motion and Stipulated Order; Send documents out for electronic signature via AdobeSign (.3); E-file documents with the Court; Forward to Alyson; Index in client file (.3)	0.60
CEG	Read email from Katie; Instructions to paralegal; Telephone conference with Alyson	1.00
CEG	Email to David Littman; Draft Order for Parenting Plan	0.35
June 23, 2023		
ML	Update pleadings in client file	0.20
ML	Email to J. Reiter enclosing reunification pleadings filed and issued by the Court; Email to D. Littman enclosing reunification pleadings and Parenting Plan filed and issued by the Court.	0.40

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
CEG	Work on discovery responses; Email to Alyson with orders for Parenting Plan and Stipulated Order; Email to Alyson regarding same; Send Alyson Charles' Witness Disclosures; Draft Exhibit List and email to Katie regarding Nationwide claim	1.50
June 24, 2023		
CEG	Draft PC/DM/arb order	0.50
June 26, 2023		
ML	Create Dropbox folder for Alyson's discovery documents.	0.10
June 27, 2023		
ML	Format Order PC-DM/Arb	0.25
CEG	Read letter from K. Goff; Forward same to client and Jay Freedberg; Review revised Order for David Littman	0.40
CEG	Email to Draft. Littman regarding Order of Appointment and fees	0.20
June 28, 2023		
ML	Email from N. Milfeld; Upload C. Bell deposition exhibits.	0.25
CEG	Read emails from Alyson and J. Freeberg; Respond to same	0.40
CEG	Email to K. Goff with proposed PC-DM/Arb Order; Draft Joint Submission of PC-DM/Arb Order pleading	0.30
CEG	Email with Alyson; Email to Jay	0.30
June 29, 2023		
CEG	Read letter from David Littman; Read and respond to client email regarding same; Email exchange with Katie Goff; Instructions to paralegal; Email to Alyson regarding job details; Email to Alyson regarding debriefing	0.75
June 30, 2023		
CEG	Email exchange with Alyson; Review Deposition exhibits	1.00

SUMMARY OF SERVICES

Attorney/Glassman	22.75 hrs @ 400.00	\$	9,100.00
Administrative/LaPlume	0.40 hrs @ 65.00	\$	26.00
Paralegal/LaPlume	4.15 hrs @ 175.00	\$	726.25
Attorney/Milfeld	8.90 hrs @ 325.00	\$	2,892.50

TOTAL PROFESSIONAL SERVICES	36.20 HOURS	<u>\$ 12,744.75</u>
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COSTS AND DISBURSEMENTS

<u>DATE</u>	<u>DESCRIPTION</u>		<u>AMOUNT</u>
06/07/23	E-filing charges	12.68	
06/11/23	E-filing charges	24.00	
06/16/23	E-filing charges	12.00	
06/20/23	E-filing charges	24.00	
06/22/23	E-filing charges	24.00	
06/29/23	Six Consulting LLC	702.00	
	TOTAL COSTS AND DISBURSEMENTS		<u>\$ 798.68</u>

TOTAL NEW CHARGES	<u>\$ 13,543.43</u>
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Applied from Retainer/Trust Account	-13,932.35
RETAINER/TRUST ACCOUNT	

RETAINER/TRUST BALANCE FORWARD	\$ 0.00
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06/09/23	Retainer Received	7,500.00
06/09/23	Retainer Received	4,000.00
06/16/23	Retainer Received	2,432.35
06/30/23	Applied from Retainer/Trust Account	<u>-13,932.35</u>

NEW RETAINER/TRUST ACCOUNT BALANCE	\$ 0.00
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SUMMARY OF ACCOUNT

BALANCE FORWARD	\$ 6,432.25
PAYMENTS AND CREDITS	0.00
TOTAL NEW CHARGES	13,543.43
APPLIED FROM RETAINER/TRUST ACCOUNT	-13,932.35
PLEASE REPLENISH CLIENT TRUST FUNDS WITH	<u>\$ 7,500.00</u>

TOTAL AMOUNT DUE	\$ 13,543.33
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AGED BALANCE	CURRENT	OVER 30	OVER 60	OVER 90	TOTAL
FEES	6043.33	0.00	0.00	0.00	6043.33
COSTS	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
TOTAL	6043.33	0.00	0.00	0.00	6043.33

INTEREST WILL BE CHARGED ON PAST DUE AMOUNTS
 AT A PERCENTAGE RATE OF 18.00 PER ANNUM (1.5% MONTHLY)

DISTRICT COURT BOULDER COUNTY, COLORADO 20th Judicial District Court Boulder County Justice Center 1777 Sixth Street, P.O. Box 4249 Boulder, Colorado 80306 303-441-3750	DATE FILED August 21, 2023 10:40 AM FILING ID: FED53E8356F6C CASE NUMBER: 2022DR30458
In re the Marriage of: Petitioner: CHARLES BELL and Co-Petitioner: ALYSON BELL	<p style="text-align: center;">COURT USE ONLY</p>
Carol Glassman Carol Glassman, P.C. 1790 38 th Street, Suite 300 Boulder, Colorado 80301 Telephone: 303-442-1403 E-Mail: carol@carolglassman.com Attorney Registration No. 11321 Nelissa Milfeld Milfeld Law LLC 1650 38 th Street, Suite 302E Boulder, CO 80301 Telephone: 303-990-1953 Email: milfeldlaw@gmail.com Attorney Registration No. 40753	Case Number: 2022DR30458 Division: 12
CO-PETITIONER'S COUNSEL'S AFFIDAVIT FOR ATTORNEY FEES AND COSTS	

COMES NOW Co-Petitioner, Alyson Bell, by and through her attorneys, Carol Glassman, Carol Glassman, P.C. and Nelissa Milfeld, Milfeld Law, LLC and hereby submits an Affidavit reflecting the Co-Petitioner's attorney fees and costs from November 29, 2022 to present as follows:

1. Carol Glassman is an attorney duly licensed to practice law in the State of Colorado with registration number 11321. Co-counsel, Nelissa Milfeld, is an attorney duly licensed to practice law in the State of Colorado with registration number 40753.

2. Carol Glassman was retained to represent Co-Petitioner at the billable rate of \$400 per hour for her time, \$350 for Ms. Milfeld's time, \$175 per hour for paralegal time, and \$65 per hour for legal secretarial time, plus fees and costs. These rates are reasonable and customary in this community for the type of services provided and the experience of counsel.

3. From November 29, 2022 through July 31, 2023, the attorney fees, including paralegal and legal secretarial time were \$79,750.

4. From November 29, 2022 through July 31, 2023, Co-Petitioner has incurred \$12,647 in costs.

5. From August 1, 2023 through the date of Permanent Orders, the attorneys will spend additional time preparing for and attending the Permanent Orders hearing scheduled on the trailing docket for the week of August 21, 2023. Additional trial costs will be incurred. An additional Affidavit for Attorney Fees will be submitted from August 1, 2023 through the Permanent Orders hearing if requested by the Court.

6. A copy of the itemized breakdown of the billing through November 29, 2022 through July 31, 2023 is attached and incorporated herein.

WHEREFORE, Counsel requests that this Honorable Court find that their fees and costs incurred and projected as set forth above are reasonable and necessary under the circumstances of this case.

Dated: August 21, 2023

Respectfully submitted,

CAROL GLASSMAN, P.C.

/s/Carol Glassman

Carol Glassman, No. 11321

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ALYSON BELL
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JUNE 30, 2023
CLIENT CODE: 1411.01

MATTER: DISSOLUTION

PROFESSIONAL SERVICES

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
November 29, 2022		
CEG	Zoom meeting	1.00
November 30, 2022		
CEG	Telephone conference with Stephanie; Review pleadings; Email to Stephanie; Telephone conference with Alyson; Email to Stephanie	0.75
December 2, 2022		
CEG	Numerous emails with Stephanie regarding Parenting Time and initial pleadings	0.40
December 3, 2022		
CEG	Read email exhcnges; Telephone conference with client	0.75
December 5, 2022		
ML	T/C with Alyson to obtain SSN's; Input information in initial documents	0.20
CEG	Telephone conferences (x2) with Alyson; Email to Opposing Counsel regarding Parenting Time proposal	0.40
CEG	Read and respond to Opposing Counsel; Read and respond to client	0.40
December 6, 2022		
CEG	Read and respond to email; Read lengthy email from Charles to Alyson; Email with Opposing Counsel's paralegal; Respond to Alyson	0.20

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
December 7, 2022		
CEG	Read and respond to email	0.20
CEG	Read email from client; Email to Stephanie; Withdrawal of funds from account	0.20
December 8, 2022		
ML	Email to Alyson regarding financial disclosures; Create Dropbox for same.	0.20
December 9, 2022		
CEG	Follow up with Stephanie regarding \$15,000 withdrawal	0.10
CEG	Read and respond to email from Stephanie	0.20
CEG	Emails with Opposing Counsel and client regarding all pending issues	0.75
December 10, 2022		
CEG	Emails with client	0.50
December 11, 2022		
CEG	Read client's email and texts between parties; Email to Stephanie regarding finances; Respond to client regarding insurance	0.35
December 12, 2022		
CEG	Read emails between parties; Respond to client	0.20
December 13, 2022		
ML	Update pleadings index with initial documents filed in case.	0.30
CEG	Read and respond to client's email; Email to S. Fournier; Read S. Fournier's email; Respond to email to S. Fournier; Read additional email from Stephanie and Alyson; Set conference; Read email from client; Email regarding Initial Status Conference date	0.40
December 16, 2022		
CEG	Read exchange between parties; Forward bank account information to Opposing Counsel; Email to Alyson regarding same	0.20
CEG	Review P&Ls; Read and respond to email regarding Camryn's parenting time	0.50

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
CEG	Telephone conference with Alyson	0.30
December 17, 2022		
CEG	Draft Stipulation and Order	0.75
December 19, 2022		
CEG	Email exchanges with client	0.35
CEG	Review first draft of Stipulation and Order; Email to client regarding same	0.35
ML	Format first draft of Stipulation Regarding Interim Agreements and proposed Order	0.25
ML	Index Notice of Initial Status Conference in client file; Calendar same; Email to client with instructions.	0.25
December 20, 2022		
CEG	Read numerous emails from client and respond to same	0.40
ML	Download Alyson's 16.2 disclosure documents from Dropbox in client file (.15); Format first draft of Certificate of Compliance (.6)	0.75
December 21, 2022		
CEG	Read emails; Email to Stephanie	0.35
ML	Continue Certificate of Compliance	0.40
CEG	Read and respond to emails	0.65
December 22, 2022		
ML	Index Motion to Withdraw in client file; Calendar deadline to respond.	0.20
CEG	Read Motion to Withdraw; Email to Alyson regarding same	0.20
December 28, 2022		
CEG	Read email from client and text from Charles; Respond to same	0.30
December 29, 2022		
CEG	Read email from client	0.20

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
December 30, 2022		
CEG	Read email from Erin Pierce; Read Entry of Appearance; Telephone conference with Erin; Telephone conference with client; Revise Stipulation; Email to client regarding same	1.25
December 31, 2022		
CEG	Read email from client [REDACTED]	0.10
January 1, 2023		
CEG	Read and respond to Erin's email	0.40
January 2, 2023		
CEG	Read email from client and supporting text messages; Respond to same	0.35
January 3, 2023		
CEG	Telephone conference with client	0.35
January 4, 2023		
ML	Index Entry of Appearance of E. Pierce and Parenting Certificate in client file; Input E. Pierce information into system; Forward documents to Alyson; Email to Alyson regarding parenting class	0.30
CEG	Read email from Erin regarding Stipulation; Email to Alyson	0.20
January 5, 2023		
CEG	Review Stipulation and emails to and from Erin	0.35
CEG	Read and respond to more emails	0.35
January 6, 2023		
CEG	Read email from client	0.20
January 8, 2023		
CEG	Telephone conference with Erin; Telephone conference with Alyson; Telephone conference with Erin; Review Alyson's financial disclosures	2.20
CEG	Read email from Charles; Email to Erin regarding same	0.20

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
January 9, 2023		
ML	E-file Alyson's Co-parenting Certificate; Index Order Granting Motion to Withdraw and Certificate in client file; Forward to Alyson.	0.25
CEG	Review revisions to Stipulation; Emails with client	0.40
CEG	Revise Stipulation; Emails with client; [REDACTED] Email to Erin with revised Stipulation	0.35
CEG	Email regarding texts to Camryn	0.10
January 10, 2023		
CEG	Email to client regarding questions for Sworn Financial Statement	0.20
CEG	Read Alyson's response	0.20
January 11, 2023		
ML	Revise Alyson's Sworn Financial Statement and Certificate of Compliance	0.25
CEG	Read emails from client [REDACTED]	0.35
January 12, 2023		
CEG	Read and respond to email regarding moving to 3rd Avenue	0.30
January 14, 2023		
CEG	Read communications regarding personal property removal; Email to Alyson; Email to Erin	0.50
CEG	Read email from Alyson and read and respond to Erin	0.30
CEG	Numerous emails with Alyson and Erin regarding removal of personal property and appraisal of marital home	0.40
CEG	Read and respond to emails	0.35
January 16, 2023		
CEG	Read and respond to emails regarding appraisal	0.25

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
January 17, 2023		
CEG	Read email regarding M. Baris; Email to client regarding same; Emails to Erin regarding same	0.30
January 18, 2023		
ML	Review C.R.C.P. 16.2 disclosures with CEG	1.40
ML	E-file Sworn Financial Statement and Certificate of Compliance; Index in client file; Forward to Alyson.	0.30
CEG	Numerous emails regarding Mitch Baris and Camryn; Review Sworn Financial Statement and Certificate of Compliance; Email to client; Review revisions	1.00
January 19, 2023		
ML	Index Charles' Certificate of Compliance filed with the Court; Download and review Charles' C.R.C.P. 16.2 disclosures; Forward to Alyson.	0.75
CEG	Read email from Erin regarding Initial Status Conference topics	0.20
January 20, 2023		
CEG	Meeting with client	0.60
CEG	Telephone conference with Erin	0.25
CEG	Appear for Initial Status Conference	0.30
January 23, 2023		
CEG	Read weekend correspondence; Email to Alyson regarding same	0.35
CEG	Review Charles' 16.2 disclosures; Draft email to Jeremy Harkness	0.75
January 24, 2023		
ML	Format first draft of Joint Expert Stipulation	0.30
ML	Update pleadings index in client file.	0.30
January 25, 2023		
ML	Calendar deadlines and reminders from Initial Status Conference Order and Pre-Hearing Order in Outlook, LTB, and wall calendar.	0.40

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
CEG	Review first draft of Joint Expert Stipulation	0.20
January 26, 2023		
ML	Final review of Joint Expert Stipulation with CEG	0.15
ML	Review email from E. Pierce; Finalize Joint Expert Stipulation; Circulate for parties' signatures via AdobeSign.	0.10
CEG	Read client email and exchange between parties; Telephone conference with Erin; Telephone conference with Alyson; Review Sworn Financial Statement; Telephone conference with Alyson	1.20
CEG	Revise Expert Stipulation; Instructions to paralegal; Email to Erin	0.30
CEG	Email exchanges with Alyson	0.20
January 27, 2023		
CEG	Email to Erin regarding unwanted contacts and status of Stipulation	0.20
January 28, 2023		
CEG	Read email from Erin and respond to same; Instructions to paralegal; Email to Jeremy regarding engagement	0.40
CEG	Read Alyson's responses [REDACTED]; Forward to Erin	0.25
January 30, 2023		
CEG	Read email from Alyson; Email to Erin regarding same	0.25
CEG	Read email from Erin; Email to Alyson regarding same	0.20
January 31, 2023		
ML	E-file Joint Expert Stipulation; Receive Order from Court approving same; Index in client file; Forward to Alyson.	0.25
CEG	Telephone conference with Alyson and email to Erin	0.50
February 1, 2023		
CEG	Email exchange with Alyson regarding dog; Email to Erin regarding same; Review proposed Stipulation; Email to Alyson regarding same; Read and respond to email [REDACTED]; Email to Erin	0.75

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
February 2, 2023		
CEG	Email exchanges with Alyson; Accept changes to Stipulation Email to Erin regarding same	0.35
CEG	Email exchanges with Alyson	0.20
February 4, 2023		
CEG	Read emails from Alyson; Respond to same; Email to Erin; Email to Jeremy Harkness; Read and respond to Erin	0.50
February 5, 2023		
CEG	Read and respond to email	0.20
February 6, 2023		
CEG	Telephone conference with Alyson	0.75
February 7, 2023		
ML	Confer with CEG; Review email and upload documents provided by J. Harkness in Dropbox; Provide Dropbox link [REDACTED]; Forward engagement letter to Alyson	0.40
CEG	Organize documents sent from Erin for Jeremy; Instructions to paralegal; Read email from client	0.40
CEG	Telephone conference with Erin Pierce	0.75
CEG	Email to Alyson	0.35
CEG	Read and redact email from Alyson	0.20
CEG	Email to Erin; Read email regarding dog and forward to client	0.25
CEG	Read client email; [REDACTED] email to Erin; Read email from client	0.35
February 9, 2023		
ML	Review email from CEG; Email to G. Fleckenstein regarding information for appraisal of marital home	0.20
CEG	Read and respond to email	0.30

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
CEG	Read and respond to emails regarding appraisal; Read proposed email to Glenn Fleckenstein; Revise same; Instructions to paralegal	0.35
February 10, 2023		
CEG	Read Alyson's email [REDACTED]	0.20
February 14, 2023		
ML	Upload documents provided to J. Harkness to client file and Dropbox; [REDACTED]	0.25
CEG	Read emails from client; Email to Erin regarding same	0.20
CEG	Read and respond to email from Erin; Email to Alyson; Email to Jennifer Norton	0.50
CEG	Read email regarding house repairs; Email to Monte Atkinson	0.25
February 15, 2023		
CEG	Read email from Alyson; Telephone call to Alyson	0.50
CEG	Read email and message regarding dogs; Respond to same	0.20
February 16, 2023		
CEG	Read and respond to email	0.10
CEG	Read emails regarding accountant; Call Erin Pierce and left message	0.20
CEG	Read response from Erin Pierce	0.20
February 17, 2023		
CEG	Read Alyson's email; Telephone conference with Alyson; Respond to Erin's email; Review qualifications of Kathryn Bright	0.50
CEG	Telephone conference with Alyson	0.75
February 19, 2023		
CEG	Read emails regarding bookkeeper; Email to Erin regarding same	0.25
February 20, 2023		
CEG	Read email regarding on-going business; Respond to same; Read next email	0.25

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
CEG	Read and respond to email [REDACTED]; Telephone conference with Alyson	0.60
February 24, 2023		
CEG	Telephone conference [REDACTED]	0.25
CEG	Read and respond to email regarding proposed PREs	0.20
February 27, 2023		
CEG	Read email; Telephone conference with Alyson	0.50
CEG	Email to Kevin Albert	0.10
CEG	Read email from Erin regarding PREs contacted; Read and respond to additional email from Allyson and read responses	0.40
February 28, 2023		
CEG	Telephone conference with Erin Pierce	0.75
CEG	Telephone conference with Alyson	0.40
CEG	Emails to Erin Pierce	0.30
CEG	Left detailed message for Li (Camryn's therapist)	0.10
CEG	Email to J. Harkness	0.10
March 1, 2023		
ML	Create Marital Balance Sheet	0.75
ML	Format first draft of Stipulation Re Sale of Marital Home	0.20
CEG	Read and responded to email from Alyson; Emails to/from Erin Pierce; Emails with client [REDACTED]; Emails to Erin; Telephone conference with Alyson	0.90
March 2, 2023		
CEG	Telephone call to Erin Pierce	0.10
CEG	Telephone call to Erin Pierce; Emails to potential therapists; Left message for accountant	0.50

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
CEG	Draft Stipulation regarding sale of marital home	0.50
CEG	Read email for Jill Reiter; Email to Erin regarding same	0.30
March 3, 2023		
CEG	Read and forward gym email to Erin; Read email from Jennifer Norton and Lanning Schiller; Email to Erin regarding same; Sent email regarding sale of marital home	1.00
CEG	Telephone call [REDACTED]; Telephone conference with Alyson	0.50
March 6, 2023		
CEG	Read and respond to Alyson's email; Telephone conference with S. Brown, Ph.D.; Email exchange with Erin	0.50
CEG	Read intake form for Jill and respond to same; Read email regarding Kari Fraser	0.20
March 7, 2023		
CEG	Email to Jill Reiter; Read response from Erin	0.20
March 8, 2023		
ML	Review and save Tool Studios corporate documents sent to J. Harkness from Alyson in client file.	0.10
CEG	Telephone conference with Alyson; Review financial documents sent to Jeremy; [REDACTED]	0.75
March 9, 2023		
CEG	Read email from Erin; Read email from Alyson and respond to Erin	0.20
March 10, 2023		
CEG	Read emails; Forward same to Erin	0.30
CEG	Forward additional documents; Email to Erin regarding status of marital home sales Stipulation and intake form to Jill Reiter	0.30
March 13, 2023		
CEG	Read email regarding weekend messages and responded to same	0.30

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
March 14, 2023		
CEG	Telephone conference with Alyson	0.50
CEG	Telephone conference with Erin Pierce	0.75
March 15, 2023		
CEG	Telephone conference with Alyson	0.50
CEG	Email exchange with Jill Reiter	0.20
March 16, 2023		
CEG	Read and respond to emails from Jeremy; [REDACTED]; Emails regarding setting mediation	5.00
CEG	Read and respond to emails; Email to Erin	0.25
March 17, 2023		
CEG	Read and respond to email	0.10
CEG	Email to Jeremy	0.20
March 19, 2023		
CEG	Email exchanges regarding mediation date	0.10
March 20, 2023		
CEG	Meeting with J. Reiter	0.75
CEG	Telephone conference with Alyson	0.75
CEG	Email to Jill; Email to Li; Email to Erin regarding Charles' commitment to Jill and to mediation date; Email to Erin regarding phone plan	0.75
March 21, 2023		
CEG	Read and respond to Gaddis' email; Telephone conference with Alyson	1.60
March 22, 2023		
CEG	Telephone call to Opposing Counsel	0.50

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
March 23, 2023		
ML	Format first draft of Nominees and proposed Order for PRE	0.25
CEG	Read email from Gaddis to Reiter; Respond to same; Draft Joint Request for additional time to submit names of nominees to the court; Sent out emails to potential PREs; Telephone conference with Alyson regarding on-going emails with Gaddis	1.75
CEG	Telephone call to Gaddis; Draft Nominee pleading; Draft Motion Opposing PRE	1.75
March 27, 2023		
NM	Briefly review 14-10-127 in preparation for revising Petitioner's Motion Opposing the Appointment of PRE; Edit and revise Petitioner's Motion	1.00
CEG	Review revisions to Motion to Deny Parental Responsibilities Evaluation; Revise nominee Motion; Email exchange with John Gaddis	0.50
CEG	Telephone conference with Alyson	0.40
March 28, 2023		
ML	Format Order regarding Motion in Opposition of PRE; File with the Court	0.20
CEG	Read and respond to Gaddis' email; Revise motion; Email to Alyson	0.50
CEG	Read email from Jill Reiter; Email to Gaddis regarding same	0.20
CEG	Telephone conference with Alyson; Revise Motion; Sent out email regarding Jan Derk	0.60
March 29, 2023		
ML	Index Motion in Opposition of PRE in client file; Forward to Alyson	0.20
CEG	Read email from Jill Reiter; Email exchange with John Gaddis regarding vocational evaluation; Email to Erin regarding Jane Derk	0.35
March 30, 2023		
CEG	Read emails from Alyson; Telephone conference with Alyson; Email to Erin Pierce	0.50
March 31, 2023		
CEG	Emails with Jeremy Harkness; Multiple emails with John Gaddis regarding PRE;	1.50

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
	Review reports from Jeremy; Read court orders regarding PRE	
April 3, 2023		
CEG	Read email from Alyson; Email to Erin about others attending Reunification Therapy	0.20
April 4, 2023		
ML	[REDACTED]	0.10
April 5, 2023		
CEG	Read Dustin's email; Email from Gaddis; Email to accountants	0.30
April 6, 2023		
CEG	Read and respond to email [REDACTED]; Email to Harkness; [REDACTED]; Revise Marital Balance Sheet	0.50
April 9, 2023		
CEG	Read and respond to Gaddis' email	0.20
April 10, 2023		
CEG	Review emails from Sunday; Email to John Gaddis regarding same	0.20
April 13, 2023		
CEG	[REDACTED] Email to Jeremy; Follow up	0.20
April 14, 2023		
CEG	Send email to Alyson; Read email from Alyson and respond to same	0.25
April 18, 2023		
CEG	Meeting with client; Email to Gaddis; Email to client with worksheet; Email regarding Jeremy's report	1.50
CEG	[REDACTED]; Email to Jeremy regarding hypothetical	0.20
CEG	Email exchange with Gaddis	0.20

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
April 19, 2023		
CEG	[REDACTED]	0.20
April 21, 2023		
CEG	Read and respond to Allison's emails; Email to John Gaddis	0.35
CEG	Email exchange with Alyson	0.10
CEG	Read and respond to additional emails	0.35
CEG	Read and respond to emails regarding business valuation; Email to Jeremy regarding all cash accounts	0.20
April 25, 2023		
CEG	Read email from client [REDACTED]; Instructions to paralegal regarding bank statements; Read email from client regarding closed bank account; [REDACTED]; Read email from client [REDACTED]	0.50
April 26, 2023		
CEG	Read emails from J. Gaddis; [REDACTED]; Read email between J. Gaddis and J. Harkness; Email to J. Harkness; Email to J. Gaddis; Email to client	0.50
CEG	Read numerous emails and respond to same	0.35
April 27, 2023		
CEG	Read and respond to Gaddis' email regarding valuation; Review bank statements as of February 28; Numerous emails [REDACTED]; Email exchange with Alyson	0.75
CEG	Additional email exchanges	0.25
CEG	Review email from Alyson; Email to Jeremy regarding updates to report	0.30
CEG	Read email from Gaddis; Draft response; Email to Alyson	0.25
April 28, 2023		
CEG	Numerous emails with John Gaddis, Jeremy Harkness and Peggy Goodbody regarding business valuation and mediation	1.00

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
May 2, 2023		
CEG	Read message exchange between parties about bookkeeping	0.10
May 3, 2023		
CEG	Read and respond to email from Alyson; Email to P. Goodbody; Email with Jeremy; Email to Alyson regarding updated statements	0.35
CEG	Read and respond to several emails; Email to Jill Reiter	0.50
May 4, 2023		
ML	Download updated statements received by Alyson; Rename and save in client file; Update Marital Balance Sheet; Forward updated statements to opposing counsel and request same.	1.25
ML	Format first draft of Confidential Mediation Statement to P. Goodbody (.4); Email from Alyson including additional statements/balances; Upload documents to client file; Forward to opposing counsel (.2)	0.60
May 5, 2023		
CEG	Conference with associate	0.25
CEG	Review email exchanges; Meeting with Alyson	1.35
May 7, 2023		
CEG	First draft of Confidential Mediation Statement	3.30
May 8, 2023		
CEG	Meeting [REDACTED]	0.40
CEG	Email to clerk requesting status conference	0.35
CEG	Read email from Jill Reiter and Alyson regarding 5-way meeting	0.20
May 9, 2023		
MAL	Administrative assistant - Transcribe Confidential Mediation Statement	0.75
ML	Compile exhibits to Confidential Mediation Statement.	0.10
ML	Update pleadings in client file	0.25

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
	Alyson for review	
CEG	Instructions to paralegal; Respond to Gaddis' email to Jeremy	0.35
CEG	Telephone conference [REDACTED]; Emails to J. Harkness	0.50
CEG	Revisions to Mediation statement and offer; Email from Gaddis	1.00
May 17, 2023		
ML	Review and finalize CRE 408 settlement communication, Marital Balance Sheet, Confidential Mediation Statement and exhibits; Forward emails to J. Gaddis and P. Goodbody regarding 5/18/23 mediation.	1.00
ML	Create mediation notebook for CEG	0.25
CEG	Review revisions to letter to Peggy and 408 Communications	0.50
CEG	Emails with Goodbody; Telephone conference with Six	0.25
CEG	Meeting with Jill Reiter	0.50
May 18, 2023		
CEG	Review emails from Charles	0.30
CEG	Mediation and client meeting	4.30
CEG	File Mediation Certificate	0.20
May 19, 2023		
CEG	Read email from Charles and Alyson's proposed response; Telephone conference with Alyson	0.50
May 21, 2023		
CEG	Read and respond to email; Read and respond to Goodbody email	0.20
May 22, 2023		
CEG	Read email from Charles; Instructions to paralegal regarding Parenting Plan	0.20
May 23, 2023		
MAL	Administrative assistant -Format first draft of Parenting Plan	0.80

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
CEG	Draft Parenting Plan	1.35
CEG	Review first draft of Parenting Plan	0.50
May 24, 2023		
ML	Attend Zoom meeting with CEG and Alyson regarding Parenting Plan.	0.50
CEG	Send Alyson first draft of Parenting Plan	0.10
CEG	Meeting with Alyson regarding Parenting Plan	1.00
May 25, 2023		
ML	Update client pleading file; Forward updated documents to Alyson	0.20
CEG	Email to Charles with Parenting Plan; Email to Alyson; Read email from Charles and Jill; Start deposition exhibit folder	0.40
May 28, 2023		
CEG	Read and respond to email	0.35
May 31, 2023		
CEG	Read email exchange between parties regarding business obligations; Email to Alyson regarding same	0.20
June 1, 2023		
CEG	Email exchange with Alyson; Email to Charles regarding status of Parenting Plan	0.20
CEG	Email to Bob Cooper and Courtney Cline	0.20
CEG	Read and respond to email from Courtney Cline	0.20
June 2, 2023		
CEG	Meeting with associate regarding Deposition preparation, case issues and discovery	0.75
CEG	Email to David Littman regarding PCDM appointment; Read emails from Charles	0.35
NM	Meeting with Ms. Glassman regarding case	0.60

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
June 5, 2023		
CEG	Read emails from Charles; Instructions to Nelissa; Review David Littman's curriculum vitae; Email to Alyson	0.40
CEG	Review case deadlines and numerous tasks with paralegal	0.35
NM	[REDACTED]	0.20
NM	[REDACTED]	0.40
NM	[REDACTED]	[REDACTED]
June 7, 2023		
CEG	Read email from Charles regarding vocational assessment; Instructions to associate; Instructions to paralegal; Review Notice of Deposition	0.50
CEG	[REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; Email to all experts; Email to David Littman; Instructions to paralegal regarding expert report disclosures	0.75
ML	Format Notice of Deposition of Charles.	0.20
ML	E-serve Notice of Deposition of Charles Bell; Forward to Mr. Bell; Index in client file; Calendar date/time.	0.30
June 8, 2023		
NM	[REDACTED]	1.40
NM	Email correspondence with Mr. Bell regarding vocational assessment	0.10
June 9, 2023		
CEG	Read and respond to numerous emails; Review changes to Parenting Plan; Emails with associate	0.75
June 11, 2023		
CEG	Draft Motion for Stipulated Order regarding Jill Reiter; Meeting with Ms. Milfeld; Instructions to paralegal	0.75
NM	Draft Entry of Appearance as Co-Counsel	0.10

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
NM	File and serve Entry of Appearance as Co-Counsel	0.10
June 12, 2023		
CEG	Deposition preparation; Draft Witness Disclosures; Work on discovery; Review draft of Joint Motion and Stipulation	4.00
CEG	Revise Parenting Plan; Review Motion and Stipulated Order; Email to Alyson; Proposed email to Charles	0.50
ML	Format first draft of Witness Disclosures	0.35
ML	Format first draft of Motion Adopting Stipulated Order Regarding Reunification and Order.	0.35
NM	Meeting with Ms. Glassman [REDACTED] [REDACTED] [REDACTED]	4.80
June 13, 2023		
CEG	Read and respond to email regarding health insurance; Sent email to Charles with Parenting Plan and Motion	0.30
CEG	Email to K. Goff; Email to client	0.25
CEG	Review and revise discovery and Witness Disclosures to C. Bell	0.50
ML	Update pleading index in client file; Forward Entry of Appearances to Alyson.	0.25
ML	Request updated Rule 26 Disclosures [REDACTED] [REDACTED]	0.20
June 14, 2023		
CEG	Email to K. Goff regarding direct communications from Charles; Read and respond to email regarding back dating Parenting Plan	0.40
NM	[REDACTED] [REDACTED] [REDACTED]	0.40
NM	Download and organize deposition exhibits	0.30

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
June 15, 2023		
CEG	[REDACTED]; Revise Witness Disclosures; Review changes to discovery requests; Instructions to paralegal; Email to Katie regarding Parenting Plan	1.00
June 16, 2023		
CEG	Telephone conference with Alyson	0.30
CEG	Read proposed changes from Katie Goff	0.20
June 18, 2023		
CEG	Read business valuation	0.60
June 19, 2023		
CEG	Read Charles' discovery requests and Witness Disclosures from Charles; Read email from Katie	0.30
June 20, 2023		
ML	Update pleading file; Calendar Alyson's discovery deadline.	0.30
CEG	Telephone conference with Alyson; Revise Parenting Plan; Email to Katie regarding same	1.30
CEG	Read email from Katie; Revise Parenting Plan and Stipulated Order; Emails with Alyson	0.65
June 21, 2023		
MAL	Administrative assistant - Format first draft of Order Appointing Decision Maker/Arb	0.40
ML	Format first draft of Alyson's discovery responses	0.40
CEG	Meeting [REDACTED]	0.35
CEG	Email to Goeff	0.20
June 22, 2023		
ML	Emails with opposing counsel; Finalize Parenting Plan, Joint Motion and Stipulated Order; Send documents out for electronic signature via AdobeSign (.3); E-file	0.60

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
	documents with the Court; Forward to Alyson; Index in client file (.3)	
CEG	Read email from Katie; Instructions to paralegal; Telephone conference with Alyson	1.00
CEG	Email to David Littman; Draft Order for Parenting Plan	0.35
June 23, 2023		
ML	Update pleadings in client file	0.20
ML	Email to J. Reiter enclosing reunification pleadings filed and issued by the Court; Email to D. Littman enclosing reunification pleadings and Parenting Plan filed and issued by the Court.	0.40
CEG	████████████████████; Email to Alyson with orders for Parenting Plan and Stipulated Order; Email to Alyson regarding same; Send Alyson Charles' Witness Disclosures; Draft Exhibit List and email to Katie regarding Nationwide claim	1.50
June 24, 2023		
CEG	Draft PC/DM/arb order	0.50
June 26, 2023		
ML	Create Dropbox folder for Alyson's discovery documents.	0.10
June 27, 2023		
ML	Format Order PC-DM/Arb	0.25
CEG	Read letter from K. Goff; Forward same to client ██████████; Review revised Order for David Littman	0.40
CEG	Email to Draft. Littman regarding Order of Appointment and fees	0.20
June 28, 2023		
ML	Email from N. Milfeld; Upload C. Bell deposition exhibits.	0.25
CEG	Read emails from Alyson ██████████; Respond to same	0.40
CEG	Email to K. Goff with proposed PC-DM/Arb Order; Draft Joint Submission of PC-DM/Arb Order pleading	0.30

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
CEG	Email with Alyson; [REDACTED]	0.30
June 29, 2023		
CEG	Read letter from David Littman; Read and respond to client email regarding same; Email exchange with Katie Goff; Instructions to paralegal; Email to Alyson regarding job details; Email to Alyson regarding debriefing	0.75
June 30, 2023		
CEG	Email exchange with Alyson; Review Deposition exhibits	1.00

	<u>DESCRIPTION</u>	<u>HOURS</u>
		1.00
July 3, 2023		
CEG	Prepare for Deposition; Email exchange with client; Forward email [REDACTED] [REDACTED]	2.20
July 5, 2023		
ML	Create deposition notebook for exhibits	0.25
CEG	Read series of messages; Called Alyson and left message	0.25
CEG	Prepare for Deposition	2.00
CEG	Telephone conference with Alyson [REDACTED]; Email to Katie Goff regarding same	0.25
CEG	Email exchange with Alyson	0.10
NM	Review and finalize Deposition exhibits; Finalize Deposition questions; Meeting with CEG regarding same	2.00
July 6, 2023		
ML	Update client pleadings file	0.25
CEG	Read and respond to email	0.10
CEG	Sat through parts of Deposition; Meeting with Katie Goff (4.0 hrs total, no charge 2.0)	2.00
NM	Deposition	6.70

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
July 7, 2023		
CEG	[REDACTED]; Email follow up with Andrew at David Littman's office	0.90
CEG	Telephone conference with Alyson; Review loan papers	0.20
July 8, 2023		
CEG	Read [REDACTED]	0.20
CEG	Read [REDACTED] email and respond to Alyson	0.20
July 9, 2023		
CEG	Email to Katie regarding Charles' Talking Parents message; Review Loan disclosure documents; Email to Alyson [REDACTED]	0.75
CEG	Numerous emails with Alyson	0.35
July 10, 2023		
CEG	Read and respond to email; Email with Milfeld	0.20
CEG	Telephone conference [REDACTED]	0.35
CEG	Review motions; Instructions to paralegal	0.25
NM	Review Petitioner's witness list; Draft Motion to Strike Nicole Pate; Draft Motion to Strike Leah Fox	1.30
July 11, 2023		
ML	Download [REDACTED] to client file	0.10
CEG	Email to Katie regarding withdrawing witnesses; Read email regarding same	0.20
July 12, 2023		
ML	Trial preparation (create exhibit and CEG trial notebook, compile exhibits from Exhibit List, format first draft of witness testimony)	1.50
CEG	Read emails regarding [REDACTED]; Email to Alyson; Telephone conference with Milfeld	0.35

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
July 13, 2023		
ML	Zoom meeting with CEG and Alyson regarding discovery responses	1.00
MAL	Administrative assistant - Redact Alyson's historical invoices with respect to Non-Pattern Request for Production of Documents No. 3	0.25
ML	Format first draft of J. Freedberg's Rebuttal Report Witness Disclosure and Submission of J. Freedberg's Valuation of Tool Studios and Income Analysis reports.	0.35
CEG	Email to [REDACTED]	0.20
CEG	Meeting with Alyson [REDACTED]; Instructions to paralegal regarding rebuttal witness disclosure and reports; Read draft reports	2.50
CEG	Telephone conference [REDACTED]	0.25
CEG	Review Deposition transcript [REDACTED]; Email [REDACTED]	0.40
July 14, 2023		
CEG	Read and respond to email from Alyson; Read email from Cesar Velasquez	0.25
CEG	Meeting [REDACTED]; Review settlement proposal from Katie Goff; Email exchange with Katie regarding same; Email to Jeremy Harkness; Email to J.; Email to Katie regarding withdrawal of witnesses; Further analysis of settlement offer	2.30
CEG	Meeting with Alyson	0.90
CEG	Read email from Alyson; Email to Kate regarding bill pay	0.20
July 15, 2023		
CEG	Read Talking Parenting message; Email to Kate; Email to reporter	0.25
July 16, 2023		
CEG	Read email from Katie; Emails with Alyson; Trial preparation	2.75
July 17, 2023		
ML	Finalize revisions to Rebuttal Witness Disclosure; E-file Rebuttal Witness Disclosure; E-serve J. Freedberg's rebuttal reports; Create file No. 2	0.75

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
NM	Meeting with CEG regarding case	0.50
CEG	Trial preparation [REDACTED]	2.50
CEG	Meeting with Milfeld [REDACTED] [REDACTED]	0.50
July 18, 2023		
ML	Review discovery documents received from Alyson	0.20
CEG	Email exchanges with Alyson	0.40
July 20, 2023		
NM	File and serve Motion to Strike Leah Fox as a witness, Motion to Strike Nicol Pate as a witness	0.10
NM	Add conferral language for Motion to Strike Nicol Pate as a witness and for Motion to Strike Leah Fox as a witness	0.10
ML	Continue Alyson's discovery responses	0.60
CEG	Brief meeting with Milfeld	0.30
CEG	Review discovery responses; Email to client regarding same	0.75
CEG	Read and respond to email [REDACTED]	0.20
July 21, 2023		
CEG	Telephone conference with Alyson; Email to Katie regarding bill pay; Read [REDACTED]	0.50
CEG	Telephone conference with Katie Goff	0.20
CEG	Read and respond to Katie's emails regarding billing and use of HELOC	0.30
July 22, 2023		
CEG	Read email from Alyson; Email Kate	0.20
July 23, 2023		
CEG	Trial preparation	3.00

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
July 24, 2023		
ML	Continue discovery responses; Review documents sent by Alyson; Revise Request for Production of Documents	0.25
CEG	Email exchanges with Alyson	0.25
CEG	Continued Deposition; Read email from Alyson; Email to Katie regarding Sam's Club	0.70
July 25, 2023		
NM	Review Petition, Sworn Financial Statement and discovery in preparation for drafting Joint Trial Management Certificate; Review Freedberg rebuttal report	1.40
NM	Draft Undisputed Facts and Stipulations; Draft argument regarding marital home; Draft argument regarding business income	2.00
NM	Telephone conference with CEG [REDACTED]	0.20
ML	Upload 16.2 disclosures from both parties; Share Dropbox link to N. Milfeld	0.15
MAL	Administrative assistant - [REDACTED]	1.00
ML	Update Exhibit List	0.25
CEG	Revise spreadsheet; Email to Katie regarding valuation dates for accounts; Email to Alyson regarding same; Meeting with Alyson; Revise offer	2.20
CEG	Revise offer	0.20
July 26, 2023		
ML	Receive, download, and forward [REDACTED]	0.20
MAL	Administrative assistant - [REDACTED]	0.40
CEG	Email to Jeremy requesting a copy of his file; Met with paralegal regarding same	0.35
CEG	Review [REDACTED]	1.50
July 27, 2023		
CEG	Trial preparation	1.00

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
July 28, 2023		
ML	Assisted with testimony	0.75
CEG	Trial preparation	1.75
CEG	Review Joint Trial Management Certificate revisions; Telephone conference [REDACTED] [REDACTED]	0.50
July 31, 2023		
CEG	Review discovery responses; Email to K. Goff; Met with paralegal	0.35
CEG	Instructions to paralegal regarding discovery responses filing	0.30
ML	Review discovery responses; Read email from Alyson; Save updated Sworn Financial Statement and updated documents provided; Meeting with CEG; Email to Alyson requesting additional discovery documents; Send Interrogatory Response to Alyson for electronic signature; Updated Sworn Financial Statement and Marital Balance Sheet balances; Email to CEG re J. Reiter emails for review; Finalize Request for Production of Documents; Forward to Alyson for electronic signature.	2.00

SUMMARY OF SERVICES

Attorney/Glassman	166.20 hrs @ 400.00	\$ 66,480.00
Administrative/LaPlume	3.60 hrs @ 65.00	\$ 234.00
Paralegal/LaPlume	29.55 hrs @ 175.00	\$ 5,171.25
Attorney/Milfeld	24.20 hrs @ 325.00	\$ 7,865.00

TOTAL PROFESSIONAL SERVICES	223.55 HOURS	\$ 79,750.25
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COSTS AND DISBURSEMENTS

<u>DATE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
11/30/22	Administrative fee, input of data into computer network system, administrative work surrounding the initial creation of the client's file, creation of a billing record file, other various administrative tasks necessary to begin work on the case and computer charges for Law Toolbox services	265.00
12/12/22	E-filing charges	24.00
01/12/23	E-filing charges	24.00

<u>DATE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	
01/19/23	E-filing charges	24.00	
01/31/23	E-filing charges	24.00	
	E-filing charges	24.00	
02/27/23	████████████████████	583.50	
03/24/23	E-filing charges	24.00	
03/27/23	████████████████████	459.00	
03/29/23	E-filing charges	24.00	
04/27/23	██	1,728.00	
05/18/23	E-filing charges	24.00	
05/31/23	Six Consulting LLC	2,979.00	
06/07/23	E-filing charges	12.68	
06/11/23	E-filing charges	24.00	
06/16/23	E-filing charges	12.00	
06/20/23	E-filing charges	24.00	
06/22/23	E-filing charges	24.00	
06/29/23	Six Consulting LLC	702.00	
07/17/23	Jay Freedberg, Six Consulting	4,050.00	
	E-filing charges	12.00	
07/18/23	E-filing charges	24.00	
07/20/23	AB Litigation Services, Charles Bell's Deposition transcript	1,531.43	
	E-filing charges - Motions to Strike	12.00	
07/31/23	E-filing charges	12.00	
	TOTAL COSTS AND DISBURSEMENTS		<u>\$ 12,646.61</u>

SUMMARY OF ACCOUNT

BALANCE FORWARD	\$ 0.00
TOTAL NEW CHARGES	92,396.86
PAYMENTS AND CREDITS	<u>-71,510.78</u>

TOTAL AMOUNT DUE **\$ 20,886.08**

AGED BALANCE	CURRENT	OVER 30	OVER 60	OVER 90	TOTAL
FEES	20886.08	0.00	0.00	0.00	20886.08
COSTS	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
TOTAL	20886.08	0.00	0.00	0.00	20886.08

CAROL GLASSMAN, P.C.
4845 PEARL E. CIRCLE, SUITE 101
BOULDER, CO 80301
(303) 442-1403

DATE FILED
June 24, 2025 3:30 PM
FILING ID: E268B1AD9E67D
CASE NUMBER: 2022DR30458

ALYSON BELL
ALYSONVARVELBELL@GMAIL.COM

JUNE 13, 2025
CLIENT CODE: 1411.01

MATTER: DISSOLUTION

PROFESSIONAL SERVICES

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
May 27, 2025		
CEG	Review Post Trial Financial Hardship Motion; Review historical pleadings and orders	0.75
CEG	Review court orders and next draft of pleadings; Instructions to paralegal	0.50
CEG	Review new pleadings; Revise Trial Management Certificate; Start direct testimony; Meeting	2.00
May 28, 2025		
CEG	Hearing preparation	4.50
May 29, 2025		
CEG	Review Trial Management Certificate and exhibits filed by Charles; Organize same; Email to Charles regarding missing documents	1.50
CEG	Revise exhibit	0.30
CEG	Telephone conference with Freedberg	0.35
May 30, 2025		
CEG	Read email from Charles; Email to Alyson; Read court order regarding limited filings; Email to Alyson	0.60
CEG	Review exhibits for objections; Send Charles exhibits	1.25
CEG	Revise testimony	0.60

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
May 31, 2025		
CEG	Read email from Alyson; Read Charles' email; Email to Alyson	0.50
June 1, 2025		
CEG	Hearing preparation	1.00
June 2, 2025		
CEG	Continued preparation for hearing	0.70
June 3, 2025		
ML	Format J. Freedberg Subpoena to Attend Motion to Modify Maintenance hearing; Forward for electronic signature; Receive and save in client file.	0.25
MAL	Administrative assistant - Type objections to Petitioner's exhibits per CEG notes	0.25
ML	Upload Alyson's modification hearing exhibits in the Court file	0.50
MAL	Administrative assistant - Continue typing testimony with CEG	1.50
ML	Mark additional exhibit for hearing; Upload to Court file; Add to Exhibit List	0.20
CEG	Review objections; Revise Trial Management Certificate	0.75
CEG	Review next draft of Objections to exhibits; Instructions to paralegal	0.30
CEG	Review Alyson's testimony; Hearing preparation	2.75
CEG	Revisions to Objections to Exhibits	1.50
June 4, 2025		
ML	Update client pleadings file with recently filed pleadings.	0.25
ML	E-file Objections with CCEF.	0.15
CEG	Read numerous pleadings and emails regarding exhibits	1.00
CEG	Pleading preparation regarding exhibit objections; Meeting with Alyson; Review all documents for filing	4.00
CEG	Prepare Objections to Supplemental Exhibits	2.00

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
June 5, 2025		
ML	Index recent Court filings by Petitioner in client file; Forward to client; Print trial notebook labels; Update client pleadings index with recently filed trial pleadings	0.75
MAL	Administrative assistant - Continue typing testimony with CEG	0.75
CEG	Review Charles' pleadings	1.00
CEG	Hearing preparation	1.50
June 6, 2025		
CEG	Research Rule 41 Dismissal Motion	0.25
June 8, 2025		
CEG	Hearing preparation	4.00
June 9, 2025		
ML	Update client pleadings file with recently filed pleadings	0.25
MAL	Administrative assistant - Continue typing testimony questions and closing argument with CEG	2.25
ML	Extract exhibits received by C. Bell's exhibit pleadings into C. Bell exhibit file	1.00
CEG	Hearing preparation	3.00
CEG	Prepare memorandum regarding Rule 41 Motion to Dismiss	0.75
June 10, 2025		
ML	Continue extracting exhibits from Charles' Trial Management Certificate exhibit list; Extract exhibits from Charles' three supplemental exhibit lists, organize in client file; Continue supplementing CEG's Charles' Exhibit List to include all exhibits filed by C. Bell	1.50
CEG	Hearing preparation	5.50
June 11, 2025		
ML	Update client pleadings file with recently filed pleadings	0.10

<u>EMP</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
CEG	Court appearance in Boulder County District Court for hearing	8.00
June 13, 2025		
CEG	Read Minute Order; Email to Alyson regarding same; Instructions to paralegal	0.40

SUMMARY OF SERVICES

Attorney/Glassman	51.25 hrs @ 400.00	\$ 20,500.00	
Administrative/LaPlume	4.75 hrs @ 65.00	\$ 308.75	
Paralegal/LaPlume	4.95 hrs @ 175.00	\$ 866.25	
			<hr/>
	TOTAL PROFESSIONAL SERVICES	60.95 HOURS	<u>\$ 21,675.00</u>