

STATE OF INDIANA) IN THE MONROE CIRCUIT COURT
) SS:
COUNTY OF MONROE) CAUSE NO.: 53C06-1906-PL-001293

CITY OF BLOOMINGTON, INDIANA,)
)
 Plaintiff,)
)
v.)
)
222 HATS LLC, and GERMAN AMERICAN)
BANCORP, INC.,)
)
 Defendants.)
)

**NOTICE OF INTENT TO RESPOND AND OBJECT TO PLAINTIFF'S
MOTION FOR LEAVE TO FILE AMENDED COMPLAINT**

Defendant Landowner, 222 Hats, LLC, by counsel, hereby notifies the Court that it intends to file a response and objection to Plaintiff, City of Bloomington, Indiana's Motion for Leave to File Amended Complaint within the next thirty (30) days, on or before January 29, 2020. In general, Plaintiff is not, as it asserts, automatically entitled to amend its Complaint in these circumstances and its proposed Amended Complaint does not conform to the evidence in front of this Court regarding the design of and funding for the "Project."

Respectfully submitted,

/s/ J. Eric Rochford
J. Eric Rochford
Attorney for Defendant Landowner, 222 Hats, LLC
Atty. No. 29742-29

CERTIFICATION OF COMPLIANCE WITH TRIAL RULE 5(G)

I do hereby certify that the foregoing or attached court record or document complies with the requirements of Trial Rule 5(G) with regard to information excluded from the public record under Administrative Rule 9(G).

/s/ J. Eric Rochford

J. Eric Rochford

Attorney for Defendant Landowner, 222 Hats, LLC

CERTIFICATE OF SERVICE

I do hereby certify that a copy of the foregoing Notice of Intent to Respond and Object to Plaintiff's Motion for Leave to File Amended Complaint has been duly served upon the counsel of record listed below, email, U.S. mail, postage prepaid or through the Indiana Electronic Filing System on this 31st day of December 2019:

David L. Ferguson
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Jason Lee McAuley
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/s/ J. Eric Rochford

J. Eric Rochford, #29742-29

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