

/ GO 38.13 / 1977 / MAY / 12
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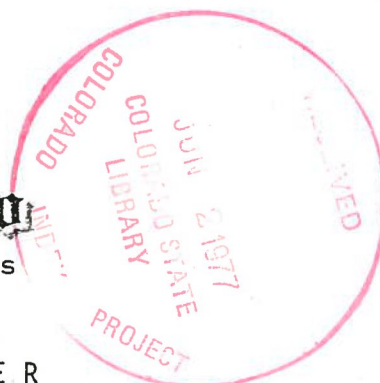


State of Colorado

EXECUTIVE CHAMBERS

DENVER

EXECUTIVE ORDER



5/12

RICHARD D. LAMM
Governor

- WHEREAS, from on or about January 1, 1976, through March 1, 1977, within Colorado, William Nelson d/b/a Western Buildings was engaged in the business of constructing new homes, remodeling existing homes, and building additions to existing homes, all for Colorado consumers; and
- WHEREAS, William Nelson d/b/a Western Buildings received from consumers a total of approximately \$107,300.00, which monies were to be used by Mr. Nelson to pay materialmen, subcontractors, and laborers who provided services for said consumers under their construction contracts; and
- WHEREAS, a substantial amount of the aforesaid monies were not used to pay said materialmen, subcontractors, and laborers, and said consumers are now subject to liens filed by the unpaid materialmen, subcontractors, and laborers, resulting in liability to said consumers beyond their contract price; and
- WHEREAS, these consumers may either be creditors or claimants of William Nelson d/b/a Western Buildings; and
- WHEREAS, the Attorney General's Office, Consumer Protection Unit, filed suit in Denver District Court under the Colorado Consumer Protection Act against William Nelson d/b/a Western Buildings seeking injunction and restitution for consumers injured as a result of alleged deceptive trade practices and may therefore be either a creditor or claimant of William Nelson d/b/a Western Buildings; and
- WHEREAS, William Nelson d/b/a Western Buildings has filed a voluntary petition in bankruptcy in the United States District Court, District of Colorado; and
- WHEREAS, without direct participation of the Attorney General in the bankruptcy proceeding, the claims of the State of Colorado and the several consumers may be discharged; and
- WHEREAS, the foregoing supports a finding that, due to the several consumers who have paid monies to William Nelson d/b/a Western Buildings in good faith and due to the fact that the State of Colorado has filed a lawsuit under the Colorado Consumer Protection Act against

