

DISTRICT COURT, DENVER COUNTY,  
STATE OF COLORADO  
1437 Bannock Street, Room 256  
Denver, Colorado 80202

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FILING ID: DC8CDD142FED2  
CASE NUMBER: 2021CV33357

**Plaintiffs:**

BRANDON SMITH; KENDRA RAYLENE KEELY;  
LYNETTE RHODES; AND SHIVANI MOHAN,

v.

**Defendants:**

CARDINAL GROUP MANAGEMENT &  
ADVISORY, LLC d/b/a CARDINAL GROUP  
MANAGEMENT; GLENDALE PROPERTIES I, LLC  
d/b/a MINT URBAN INFINITY; GLENDALE  
PROPERTIES II, LLC d/b/a MINT URBAN  
INFINITY.

***Attorneys for Defendants Glendale Properties I, LLC  
and Glendale Properties II, LLC:***

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▲ COURT USE ONLY ▲

**Case Number:**  
2021CV33357

**Division:**  
409

**GLENDALE PROPERTIES I AND II, LLC'S UNOPPOSED MOTION FOR  
MODIFICATION OF CLASS NOTICE PLAN**

Defendants, Glendale Properties I, LLC d/b/a Mint Urban Infinity and Glendale Properties II, LLC d/b/a Mint Urban Infinity (collectively "Glendale"), hereby submit this Unopposed Motion for Modification of Class Notice Plan, and in support thereof, state as follows:

**C.R.C.P. 121 § 1-15(8) CERTIFICATE OF CONFERRAL**

The undersigned counsel has conferred with counsel for Plaintiffs and Defendant Cardinal Group Management regarding the relief requested. The relief requested herein is unopposed.

**MOTION**

1. On May 24, 2024, Plaintiffs filed an Unopposed Motion by Class Representatives for Approval of Class Action Notice Plan.

2. Attached to the Unopposed Motion was Exhibit A, the Proposed Long Form Notice (“Class Action Notice”), advising the class members of their ability to opt out and how to do so. Specifically, the Class Action Notice instructed class members to opt out of the Lawsuit by sending a letter by regular mail.

3. The Court approved the Class Action Notice on May 29, 2024.

4. Upon further discussion regarding the opt out section in the Class Action Notice, Defendants desire, and Plaintiffs do not oppose, an online email opt out option in addition to the option to opt out by regular mail.

5. The parties have conferred and worked with the Class Administrator, RG/2 Claims Administration, LLC, to develop a new Class Action Notice attached hereto as *Exhibit 1*.

WHEREFORE, Defendant Glendale respectfully requests the Court approve the revised Class Notice attached as *Exhibit 1*.

Dated this 3<sup>rd</sup> day of June, 2024.

Respectfully submitted,

NELSON LAW FIRM, LLC

/s/ Melissa J. Hessler

Mark W. Nelson, Esq.

Melissa J. Hessler, Esq.

***Attorneys for Defendants***

***Glendale Properties I, LLC &***

***Glendale Properties II, LLC***

**CERTIFICATE OF SERVICE**

I hereby certify that on June 3, 2024, a true and correct copy of the foregoing was electronically filed with the Court and served via Colorado E-Filing and addressed to all active counsel of record on Colorado E-Filing System's service list.

*/s/ Ivy Sanders*

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Ivy Sanders