

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF COLORADO**

In re:)	
)	Chapter 11
THE BANNING LEWIS RANCH)	
COMPANY LLC, <i>et al.</i> , ¹)	(Jointly Administered)
)	
Debtors.)	(Pending the United States Bankruptcy
)	Court for the District of Delaware,
)	Case No. 10-13445-(KJC))
)	
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THE BANNING LEWIS RANCH)	
COMPANY LLC, BLH NO. 1, LLC,)	
BLH NO. 2, LLC, AND BANNING)	
LEWIS HOLDINGS, LLC)	
)	
Plaintiffs,)	
)	Adv. Proc. No. 11-01634 HRT
v.)	
)	
CITY OF COLORADO SPRINGS,)	
COLORADO AND COLORADO)	
SPRINGS UTILITIES,)	
)	
Defendants.)	

NOTICE OF APPEAL AND STATEMENT OF ELECTION

¹ The Debtors in these proceedings, along with the last four digits of each Debtor’s federal tax identification number, are The Banning Lewis Ranch Company LLC (4090) and Banning Lewis Ranch Development I & II, LLC (3461). The Debtors’ corporate headquarters and the service address for each Debtor is 101 West Avenue, Jenkintown, Pennsylvania 19046. BLH No. 1, LLC, BLH No. 2, LLC, and Banning Lewis Holdings, LLC (collectively, “Banning Lewis Holdings”) are assignees of the rights and interests of plaintiff and assignor, Ultra Resources, Inc. (“Ultra”), in this proceeding.

Part 1: Identify the appellants

1. Names of appellants: The Banning Lewis Ranch Company, LLC; BLH No. 1, LLC, a Colorado limited liability company; BLH No. 2, LLC, a Colorado limited liability company; and Banning Lewis Holdings, LLC, a Colorado limited liability company.

2. Position of appellants in the adversary proceeding or bankruptcy case that is the subject of this appeal: Appellants are Plaintiffs in the above-captioned adversary proceeding that is the subject of this appeal.

Part 2: Identify the subject of this appeal

1. Describe the judgment, order, or decree appealed from: Judgment in favor of Defendants, City of Colorado Springs, Colorado and Colorado Springs Utilities (“Defendants”) and against Plaintiffs (Doc. 129); Order on Pending Motions in favor of Defendants and against Plaintiff (Doc. 130, 133); and all underlying orders and rulings adverse to Plaintiffs that became final upon issuance of the final judgment in this case.

2. State the date on which the judgment, order, or decree was entered: June 22 and June 25, 2015.

Part 3: Identify the other parties to the appeal

List the names of all parties to the judgment, order, or decree appealed from and the names, addresses, and telephone numbers of their attorneys:

Appellants:

The Banning Lewis Ranch Company, LLC	HOLLAND & HART LLP Risa Lynn Wolf-Smith Christina F. Gomez 555 17th Street, Suite 3200 Denver, CO 80202 Telephone: (303) 295-8011 Facsimile: (303) 295-8261 Email: rwolf@hollandhart.com Email: cgomez@hollandhart.com
BLH No. 1, LLC	(same)
BLH No. 2, LLC	(same)
Banning Lewis Holdings, LLC	(same)

Appellees:

City of Colorado Springs, Colorado	SHERMAN & HOWARD L.L.C. Peter Cal 633 17th Street; Suite 3000 Denver, Colorado 80202 Telephone: (303) 299-8244 Facsimile: (303) 298-0940 Email: pcal@shermanhoward.com
	-and-
	HOGAN LOVELLS US LLP Edward C. Dolan Columbia Square 555 Thirteenth Street, NW Washington, DC 20004 Telephone: 202-637-5600 Facsimile: 202-637-5910 Email: edward.dolan@hoganlovells.com
Colorado Springs Utilities	(same)

Part 4: Optional election to have appeal heard by District Court

If a Bankruptcy Appellate Panel is available in this judicial district, the Bankruptcy Appellate Panel will hear this appeal unless, pursuant to 28 U.S.C. § 158(c)(1), a party elects to have the appeal heard by the United States District Court. If an appellant filing this notice wishes to have the appeal heard by the United States District Court, check below. Do not check the box if the appellant wishes the Bankruptcy Appellate Panel to hear the appeal.

Appellants elect to have the appeal heard by the United States District Court rather than by the Bankruptcy Appellate Panel.

Dated: July 6, 2015

HOLLAND & HART LLP

/s/Risa Lynn Wolf-Smith

Risa Lynn Wolf-Smith

Christina F. Gomez

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Attorneys for appellants

CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of July, 2015, a true and correct copy of the foregoing NOTICE OF APPEAL AND STATEMENT OF ELECTION was deposited in the United States mail, postage prepaid, addressed to the following:

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SHERMAN & HOWARD L.L.C.
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s/ Debbie Cochran

Debbie Cochran

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