

**PROFESSIONAL QUALIFICATIONS
DAVID B. CLAYTON**

Clayton and Company, Inc.
400 South Colorado Boulevard, Suite 800
Denver, Colorado 80246
Email: david@claytoncolorado.com

Tele: 303-832-1935
Fax: 303-832-1202
Cell: 720-253-5258

EDUCATION

University of Houston College of Law, J.D., 1983

Texas Tech University, B.A. Economics, 1976

DESIGNATIONS, LICENSES, AFFILIATIONS

MAI: Designation of the Appraisal Institute

AI-GRS: Appraisal Institute – General Review Specialist

ASA Member: The American Society of Appraisers, Accredited Senior Appraiser #36726
Elected Member, National Real Property Committee (2004-2005)

MRICS: Member Royal Institution of Chartered Surveyors

General Certified Appraiser - Colorado Certification Number: CG1315748

Colorado Attorney at Law (Inactive) #14578

American Bar Association

Colorado and Denver Bar Association
Environmental Law Section
Real Estate and Titles Section - Eminent Domain Committee
Natural Resource Law Section
Trust and Estates Law Section

SPEAKING ENGAGEMENTS

Eminent Domain 2016
(April 2016 - CLE International – Denver, Colorado)

Right of Way and Crossing Agreements for Electric Transmission Lines: A Legal Guide 2016
(March 2016 – Kinetic – Denver, Colorado)

Eminent Domain 101
(November 2015 – Colorado CLE – Denver, Colorado)

Eminent Domain 2015

(April 2015 - CLE International – Denver, Colorado)

Right of Way and Crossing Agreements: A Legal Guide 2015

(March 2015 – Kinetic – Denver, Colorado)

Eminent Domain 2010

(August 2010 - CLE International – Denver, Colorado)

Eminent Domain 2008

(August 2008 - CLE International – Denver, Colorado)

Eminent Domain 2007

(August 2007 - CLE International – Denver, Colorado)

Repositioning Properties

(October 2006 - Colorado Brownfields Conference – Arvada Center, Colorado)

Risk Reduction Strategies for Environmentally Impaired Real Estate

(October 2000 - General Services Administration Conference – Hyannis, Mass.)

Rights of Surface Owners Where There Are Reserved Oil & Gas Rights

(July 1997 - 15th Annual Real Estate Symposium, Colorado Bar Association - Vail, Colorado)

Environmental Issues in Real Estate

(October 1996 - Colorado Society of Certified Public Accountants/Marriott DTC, Denver)

Turning Brownfields into Gold

(September 1996 - NAIOP/Marriott City Center, Denver)

The Colorado Brownfields Policy Forum

(April 1996 - Colorado Convention Center, Denver)

Making Sense of Brownfields Redevelopment: Practical Applications

(March 1996 - Hyatt Regency, Denver)

ARTICLES PUBLISHED

"Contaminated Property" - The Colorado Springs Business Journal (September 12, 1997).

"The Dirty Dozen: Twelve Rules for Buying Contaminated Property" - The Colorado Springs Business Journal (August 1, 1997).

"Don't Overpay Real Property Tax" - Colorado Real Estate Journal (May 7, 1997).

"Challenging Valuations of Contaminated Property" - The Colorado Lawyer (April 1997).

"Owners can Challenge Tax Bill When Property Is Contaminated" - Colorado Real Estate Journal (September 4, 1996).

EXPERIENCE

Mr. Clayton is currently employed by Clayton and Company, Inc., where he serves as president. Mr. Clayton has 40 years of experience as a real estate appraiser and consultant. His practice includes an emphasis in the areas of:

Eminent Domain
Tax Assessment Appeals
Bankruptcy Asset Valuation
Construction Defects Cases

Oil and Gas Pipeline Acquisitions
Litigation Support
Properties with Environmental Issues

QUALIFIED EXPERT TESTIMONY – MOST RECENT FOUR YEARS

Mr. Clayton has been qualified as an expert witness and has testified in trial on numerous occasions. Cases in which he has provided sworn testimony as an expert witness in deposition or trial include the following:

1. *Craig Earhart, et al. v. Alfred R. Von Metzger, et al.*, Larimer County District Court, Case Number 2009 CV 1142. Testimony was by deposition (November 2011).
2. *Cedar Street Venture, LLC, et al v. Richard D. Judd, et al*, Denver County District Court, Case Number 2009 CV 7235. Testimony was by deposition (April 2012).
3. *Preston B. Henn, et al v. The Residences at Little Nell Development, LLC, et al*, Pitkin County District Court, Case Number 09 CV 37. Testimony was by deposition (April 2012).
4. *Regional Transportation District v. Ascendant Capital Partners DNA, LLC, et al*, Denver District Court, Case Number 2011 CV 2547. Testimony was by deposition (April 2012) and trial (July 2012).
5. *Regional Transportation District v. 750 West 48th Avenue, LLC, et al.*, Denver District Court, Case Number 11 CV 2546. Testimony was by deposition (July 2012) and trial (October 2012).
6. *Roaring Fork Transportation Authority, et al. v. Jo-Net, Inc., et al.*, Pitkin County District Court, Case Number 2011 CV 333. Testimony was by deposition (August 2012).
7. *Regional Transportation District v. Brannan Sand and Gravel Company, LLC, et al.*, Denver District Court, Case Number 2011CV8820. Testimony was by deposition (September 2012).
8. *Westpac Aspen Investments, LLC v. The Residences at Little Nell Development, LLC, et al*, Pitkin County District Court, Case Number 07 CV194. Testimony was by deposition (October 2012).
9. *Gorsuch, Ltd., et al, v. Wells Fargo National Bank Association*, Case Number 77 148 Y 00017 12 SIM. Testimony was to arbitration panel (October 2012).
10. *Stan Golden v. Kerry Brown, et al*, Denver District County District Court, Case Number 11 CV 8046. Testimony was by deposition (December 2012).

11. *Springridge Place Homeowners Association, et al v. W. Robt. MacGregor Land Co., Ltd., et al*, Garfield County District Court, Case Number 2013 CV 103. Testimony was at an Immediate Possession Hearing (July, 2013) and trial (November 2013).
12. *Metro Wastewater Reclamation District v. Brighton Investment Properties, LLC, et al*, Adams County District Court, Case Number 2013 CV 30038. Testimony was by deposition (November 2013).
13. *Regional Transportation District v. Manheim Services Corporation, et al*, Adams County District Court, Case Number 2012 CV 794. Testimony was by deposition (November 2013) and trial (March 2014).
14. *City of Greenwood Village v. The Plaza at Greenwood, LLC*, Arapahoe County District Court, Case Number 2012 CV 1177. Testimony was at trial (January 2014).
15. *Regional Transportation District v. Ward Road Storage, LLC, et al*, Jefferson County District Court, Case Number 2012 CV 4392. Testimony was by deposition (February 2014) and trial (March 2014).
16. *Scott Appel, et al v. State of Colorado*, Case No. 12 CV 2550. Testimony was to Judicial Arbitration Group (February 2014). Property located in Jefferson County.
17. *James Fildey, et al v. State of Colorado*, Case No. 12 CV 2550. Testimony was to Judicial Arbitration Group (February 2014). Property located in Jefferson County.
18. *Hoover, et al v. State of Colorado*, Case No. 12 CV 2550. Testimony was to Judicial Arbitration Group (March 2014). Property located in Jefferson County.
19. *Regional Transportation District v. Ball Four Inc.*, Adams County District Court Case No. 2013 CV 31471. Testimony was by deposition (March 2014) and trial (May 2014).
20. *Town of Silverthorne v. Virginia D. Crowley, et al*, Summit County District Court Case No. 2013 CV 78. Testimony was by deposition (May 2014) and trial (July 2014).
21. *City of Colorado Springs, Colorado v. Walker Ranches, LLLP, et al*, El Paso County District Court Case No. 2011 CV 313. Testimony was by deposition (October 2014).
22. *Chicago Title Insurance Company v. The Gretta Wyman Living Trust*, Adams County District Court Case No. 14 CV 31060. Testimony was by deposition (February 2015).
23. *Vaughn Counts, et al v. Ironbridge Homes, LLC, et al*, Garfield County District Court Case No. 2010CV142. Testimony was by deposition (March 2015) and trial (July 2015).
24. *Casco, LLC v. McDonald's Real Estate Company*, United States District Court for the District of Wyoming, Case No. 13-CV-00148 J. Testimony was by deposition (March 2015).
25. *Wells Fargo Bank v. Colorado Plaza III, et al*, Garfield District Court Case No. 2014CV-30233. Testimony was by deposition (April 2015).
26. *Pivotal Colorado II, LLC, et al v. Pivotal Group, Inc., et al*, Arizona Superior Court, Maricopa County, Case No. CV2011-017812. Testimony was by deposition (May, 2015).

27. *Carousel Farms Metropolitan District v. Woodcrest Homes, Inc., et al*, Douglas County District Court, Case No. 2015CV30013. Testimony was by deposition (August 2015) and trial (September / October 2015).
28. *Regional Transportation District v. Ready Mixed Concrete Company, et al*, Denver County District Court Case No. 2014 CV 33255. Testimony was by deposition (September 2015).
29. *Bruce Smith, et al v. The Related Companies, LP*, Pitkin County District Court Case No. 2011 CV 168. Testimony was by deposition (October 2015).
30. *Regional Transportation District v. CityPoint Aurora, LLC*, Arapahoe County District Court Case No. 2014CV032809. Testimony was by deposition (September 2015).
31. *City of Colorado Springs v. Ultra Resources, Inc., et al*, El Paso County District Court Case No. 2013CV743. Testimony was by deposition (December 2015).
32. *Regional Transportation District v. Edmund P. Gubanich, et al*, Denver County District Court Case No. 2012CV3221. Testimony was by deposition (December 2015) and trial (January 2016).