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# Aspen Daily News

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## REMEMBERING ORLANDO'S VICTIMS



Chad Abraham/Aspen Daily News

Thirty-six members of the Aspen community gathered at Paepcke Park for a candlelight vigil Sunday night. The remembrance, organized by Aspen Out, was in memory of the worst mass shooting in U.S. history which took place early Sunday at a crowded nightclub in Orlando, Fla.

## Appellate court rules against condo complex in Snowmass

Finding reverses Judge Nichols' 2015 ruling

By Chad Abraham

Aspen Daily News Staff Writer

The Colorado Court of Appeals has ruled against the Woodbridge Condominium Association in Snowmass Village, finding that it does not own a half-acre of land at its entrance and opening the door for the parcel to be possibly developed with a multi-family residential complex.

The 3-0 ruling, which reverses a former Aspen judge's determination, is a win for the Arizona attorney, Richard Cole, who bought the land for \$2,500 in an internet bankruptcy auction in 2010.

On the land is a Woodbridge sign, a picnic table and a sprinkler system, and the association has landscaped it, used it for drainage and otherwise maintained it dating back to the 1970s. Woodbridge in 2012 sued Cole's limited liability company, Lo Viento Blanco, that bought the parcel, claiming the condo association had earned title to the property through a legal theory called adverse possession. The association was also seeking to protect views of the Brush Creek Valley and Snowmass Ski Area.

CONDO COMPLEX ON PAGE 6

## With decision made, now real work begins for 2017 World Cup Finals

Sprint to finish, as 9 months remain until big event

By Madeleine Osberger

Aspen Daily News Staff Writer

With Aspen's status as host for the 2017 FIS World Cup Finals finally etched in stone, planning the complex event now hits high gear, beginning with a site visit this week by teams from FIS and the U.S. Ski Team to inspect the on- and off-mountain facilities.

The chief race directors of the men's and women's FIS Alpine World Cup, Markus Waldner and Atle Skaardal, and vice president of events for the U.S. Ski Team, Calum Clark, are scheduled "to make their final technical inspection early this week" of Aspen's facilities, said Tiger Shaw, president and CEO for the U.S. Ski Team.

This last sign-off for the 2017 World Cup Finals in Aspen, which are March 15-19, came on Saturday by the newly elected FIS Council at the end of their week-long congress in Cancun. It removed a lingering question attached as an asterisk to the FIS schedule.

"Now we can set our sights on what is definitely a go, which is nice," said John Rigney, vice president

of sales and events for SkiCo.

Rigney said the Aspen meetings that begin today with representatives of the speed and technical teams "will further refine the plan and help nail down the various elements" associated with the 2017 Finals.

"A lot will get sussed out," Rigney said, as will making a final assessment of lodging needs for this event that offers as many races as a world championships but in about half the number of days.

"We need to get to work building a full-on plan for on and off the hill. We've done lots of work already but there's tons to do," he added.

That will include recruiting more volunteers for the races; Rigney estimated between 300-400 volunteers would be needed.

### Killington and Squaw on schedule

The FIS World Cup alpine circuit will stop in the U.S. four times next season, beginning with Aspen's traditional women's giant slalom and slalom dates, Nov. 26-27, which move to Killington, Vt., this year because of Aspen's hosting of the finals.

WORLD CUP ON PAGE 5

## Poppies affordable housing plan is back

HPC to reconsider application June 22

By Curtis Wackerle

Aspen Daily News Staff Writer

A plan to build high-density affordable housing at the entrance to Aspen is back and will be considered by the Historic Preservation Commission later this month.

Bowden Development and 834 West Hallam Associates are seeking approval to convert the site of the former Poppies Bistro into deed restricted units eligible for the affordable housing credit certificate program.

The plan entails demolishing non-historic structures on the 6,000-square-foot corner lot, while refurbishing the historic original Victorian and moving it closer to the lot line to make room for two new buildings. The site is just west of the S-curves at the corner of Eighth Street and Highway 82.

The HPC last year asked for design changes to a prior version of the plan that would have seen 11

POPPIES ON PAGE 3

MICK IRELAND: SQUIRM NIGHT IS LONG OVERDUE, PAGE 8 • PENGUINS WIN STANLEY CUP WITH GAME 6 WIN OVER SHARKS, PAGE 19

Doctor's

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# BUSINESS

## Drug trafficking allegations against FedEx go to trial

By SudhinThanawala,

Associated Press

SAN FRANCISCO — Two giants — the U.S. government and FedEx — are set to do battle in a federal court over the explosive claim that the shipping company knowingly delivered illegal prescription drugs such as Ambien from pill mills to dealers and addicts, some of whom died.

FedEx has denied the charges and says it only shipped what it believed were legal drugs from licensed pharmacies. Opening statements are scheduled to start Monday.

The trial — nearly two-years in the making — is unusual both for the government's decision to bring drug charges against a package delivery company and the lack of a settlement. Rival UPS Inc. paid \$40 million in 2013 to resolve similar allegations that arose from a yearslong government crackdown on Internet pharmacies that ship drugs to customers without valid prescriptions.

The stakes are high for Memphis, Tennessee-based FedEx. Though no FedEx officials are facing prison time, the charges carry a potential fine of \$1.6 billion.

"It's incredibly rare for there to be any trial in the prosecution of a corporation," said Brandon Garrett, a

professor at the University of Virginia School of Law who studies corporate crime. "Many large corporations like FedEx have received deferred or non-prosecution deals where they avoid an indictment all together."

Prosecutors say FedEx starting in 2000 conspired with two Internet pharmacy organizations to ship powerful sleep aids, sedatives, painkillers and other drugs to customers who had not been physically examined by a doctor. FedEx continued to ship drugs from the pharmacy groups even as law enforcement officials shut down some of their affiliates, prosecutors allege.

The crux of the government's case is that FedEx knew the drugs were illegal and headed for dealers and addicts, but delivered them anyway. The company's drivers expressed safety concerns that FedEx trucks were being stopped on the road by online pharmacy customers demanding packages of pills and that the delivery address was a parking lot, school, or vacant home where several carloads of people were waiting for their drugs, according to the U.S. Attorney's Office.

Federal law enforcement officials told FedEx as early as 2004 that illegal Internet pharmacies were

using its delivery services for prescription drugs, and company employees noted that Internet pharmacies for which the company continued to deliver were linked to ones that law enforcement shut down, prosecutors said.

FedEx says the pharmacies were licensed by state boards of pharmacy and registered with the U.S. Drug Enforcement Administration, which allowed them to continue operating. To the best of FedEx's knowledge, they were supplying legal medications, said Patrick Fitzgerald, FedEx's Senior Vice President for Marketing and Communications.

"That's why we find the whole concept of this case to be absurd," he said during a phone interview Friday. "If there's illegal activity by any of these pharmacies, we very much want to know about that activity, so we can stop it."

FedEx's legal team includes Cristina Arguedas and Allen Ruby, who also represented slugger Barry Bonds in his perjury trial over alleged steroids use. Arguedas' office in court documents said FedEx assisted authorities in the investigation of online pharmacies with the understanding that law enforcement officials would determine whether the pharmacies were legal.

### BUSINESS NEWS IN BRIEF

#### Mountainside Dancing Bear private residences open

The second and final set of private residences that are part of the Dancing Bear Aspen opened for business on June 8. The new mountainside building features 10 three-bedroom, three-and-a-half bath corner residences which were sold in one-eighth fractional interests starting at

\$825,000, according to a company statement.

The units average 1,814 square feet, though the building also includes a 3,200-square-foot fractional ownership penthouse with four bedrooms, four-and-a-half baths and 3,500 square feet of outdoor living space.

"We couldn't be more excited to welcome our owners to the mountainside building and officially introduce the property to the public,"

stated Randall Bone, chief operating officer of Sunrise Co. "The parkside building sold out in less than two years, and with second home and vacation home sales reaching decade highs, we are confident the mountainside residences will move swiftly as today's buyers increasingly value the benefits of whole ownership and hassle-free living, but at a fraction of the cost."

Regional architecture firm O'Bryan

Partnership, Inc. and design company NCH Design were behind the modern mountain style in the new building, the statement continued.

Sunrise Co., with funds from Oaktree Capital management, L.P., purchased Dancing Bear Aspen in 2012 and has partnered with Timbers Resorts to manage the club's real estate sales and marketing operations, it concluded.

BRIEFS ON FOLLOWING PAGE

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