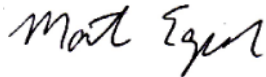


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| DISTRICT COURT, DENVER COUNTY, COLORADO | |
| Court Address: 1437 Bannock Street, Rm 256, Denver, CO, 80202 | |
| Plaintiff(s) GERALD ROME SECURITIES COM FOR THE ST OF v. Defendant(s) GARY DRAGUL et al. | DATE FILED: November 7, 2018 3:48 PM CASE NUMBER: 2018CV33011 <p style="text-align: center;">⚠ COURT USE ONLY ⚠</p> Case Number: 2018CV33011 Division: 424 Courtroom: |
| Order: Unopposed Motion for Extension of Time to Respond to MLMT 2005-LC1 Yale Retail, LLC's Motion for Relief from Stipulated Order Appointing Receiver | |

The motion/proposed order attached hereto: GRANTED.

Issue Date: 11/7/2018



MARTIN FOSTER EGELHOFF
District Court Judge

| | |
|---|---|
| DISTRICT COURT, DENVER COUNTY, STATE OF COLORADO Denver District Court 1437 Bannock St. Denver, CO 80202 | <p style="text-align: center;">▲ COURT USE ONLY ▲</p> |
| <p>Plaintiff: Gerald Rome, Securities Commissioner for the State of Colorado</p> <p>v.</p> <p>Defendants: Gary Dragul, GDA Real Estate Services, LLC, and GDA Real Estate Management, LLC</p> | |
| Attorneys for Receiver: Patrick D. Vellone, #15284 Michael T. Gilbert, #15009 Rachel A. Sternlieb, #51404 ALLEN VELLONE WOLF HELFRICH & FACTOR P.C. 1600 Stout St., Suite 1100 Denver, Colorado 80202 Phone Number: (303) 534-4499 E-mail: pvellone@allen-vellone.com E-mail: mgilbert@allen-vellone.com E-mail: rsternlieb@allen-vellone.com | Case Number: 2018CV33011 Division/Courtroom: 424 |
| UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND TO MLMT 2005-LC1 YALE RETAIL, LLC'S MOTION FOR RELIEF FROM STIPULATED ORDER APPOINTING RECEIVER | |

Harvey Sender, the duly-appointed receiver (“Receiver”) for Gary Dragul (“Dragul”), GDA Real Estate Services, LLC, GDA Real Estate Management, LLC, and related entities (collectively, “Dragul and the GDA Entities”), hereby requests a fourteen (14) day extension of time in which to respond to the Motion for Relief from Stipulated Order Appointing Receiver filed by MLMT 2005-LC1 Yale Retail, LLC.

Certification Pursuant to C.R.C.P. Rule 121, § 1-15(8):

Undersigned counsel for the Receiver certifies she has conferred with counsel for MLMT 2005-LC1 Yale Retail, LLC (“Lender”), who consents to the extension.

Motion

1. This Court’s August 30, 2018, Stipulated Order Appointing Receiver (“Receivership Order”) enjoins all actions in equity or at law against the Receiver, Dragul, the GDA Entities, or the Receivership Estate, absent an order from this Court. Receivership Order ¶ 26, at 18.

2. Lender extended a \$4.4 million commercial loan (the “MLMT Loan”) to a Dragul-related entity, YM Retail 07 A, LLC (“YM Retail”), secured by two parcels of real property located at Yale and Monaco in Denver, Colorado, 6460 East Yale Avenue, Units E and G, (the “Property”).

3. The Property has been under the control and oversight of a receiver, Brian Baker, who was appointed in October 2013 by another division of the Denver District Court upon YM Retail’s default on the MLMT Loan.

4. On October 24, 2018, Lender filed a Motion for Relief from Stipulated Order Appointing Receiver (the “MLMT Motion”) seeking (a) an order excluding the Property and rents from the Receivership Order; (b) lifting the stay imposed by the Receivership Order, (c) allowing Lender to commence, continue and complete foreclosure proceedings, and (d) deferring the oversight and control of the Property to Mr. Baker.

5. Under C.R.C.P. 121, § 1-15(1)(b), the Receiver’s response to MLMT’s Motion is due by November 14, 2018. The Receiver requests and Lender has agreed to an extension through November 28, 2018 to file its response. Good cause exists for the extension. Since Lender filed its

Motion, the Receiver and Lender have been discussing a potential resolution of the issues raised in the Motion. If an agreement can be reached, it is likely to moot Lender's Motion.

6. The requested extension will not prejudice the Parties in interest or proceedings in this case. This is the Receiver's first request for an extension of time to respond to the MLMT Motion.

WHEREFORE, the Receiver asks the Court to enter an Order granting him a fourteen (14) day extension of time within which to respond to MLMT's Motion, up to and including November 28, 2018.

Dated; November 7, 2018.

ALLEN VELLONE WOLF HELFRICH & FACTOR P.C.


By: s/ Rachel A. Sternlieb

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ATTORNEYS FOR THE RECEIVER

CERTIFICATE OF SERVICE

I hereby certify that on the November 7, 2018, a true and correct copy of **The Receiver's Unopposed Motion for Extension of Time to Respond to MLMT's Motion for Relief from Stipulated Order Appointing Receiver** was filed and served via the Colorado Courts E-Filing system to the following:

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Estate Management, LLC***


s/ Terri M. Novoa
Allen Vellone Wolf Helfrich & Factor P.C.

In accordance with C.R.C.P. 121 § 1-26(7), a printed copy of this document with original signatures is being maintained by the filing party and will be made available for inspection by other parties or the Court upon request.