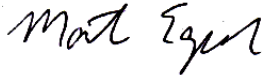


DISTRICT COURT, DENVER COUNTY, COLORADO		<p style="text-align: right;">DATE FILED: January 28, 2019 2:10 PM CASE NUMBER: 2018CV33011</p>
Court Address: 1437 Bannock Street, Rm 256, Denver, CO, 80202		
<b>Plaintiff(s)</b> GERALD ROME SECURITIES COM FOR THE ST OF et al. v. <b>Defendant(s)</b> GARY DRAGUL et al.		<p>△ COURT USE ONLY △</p>
		Case Number: 2018CV33011 Division: 424      Courtroom:
<b>Order: Order Regarding Receiver's Withdrawal of Motion for Order to Show Cause Re Prospect Square, and Motion to Vacate Hearing and Approve Stipulation</b>		

The motion/proposed order attached hereto: SO ORDERED.

Issue Date: 1/28/2019



MARTIN FOSTER EGELHOFF  
 District Court Judge

<p>DISTRICT COURT, DENVER COUNTY, STATE OF COLORADO  Denver District Court  1437 Bannock St.  Denver, CO 80202</p>	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
<p><b>Plaintiff:</b> Chris Mykelbust, Securities Commissioner for the State of Colorado</p> <p>v.</p> <p><b>Defendants:</b> Gary Dragul, GDA Real Estate Services, LLC, and GDA Real Estate Management, LLC.</p>	
<p>Attorneys for Receiver:</p> <p>Patrick D. Vellone, #15284  Michael T. Gilbert, #15009  Rachel A. Sternlieb, #51404  ALLEN VELLONE WOLF HELFRICH &amp; 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</p>	<p>Case Number: 2018CV33011</p> <p>Division/Courtroom: 424</p>
<p style="text-align: center;"><b>ORDER RE RECEIVER'S WITHDRAWAL OF MOTION FOR ORDER TO SHOW CAUSE RE PROSPECT SQUARE, AND MOTION TO VACATE HEARING AND APPROVE STIPULATION</b></p>	

THIS MATTER is before the Court on the Receiver's Withdrawal of Motion for Order to Show Cause re Prospect Square, and Motion to Vacate Hearing and Approve Stipulation ("Motion"). The Court has reviewed the Motion and the file and is otherwise advised.

THE COURT HEREBY ORDERS THAT the Motion is granted and:

- A. The Colorado Receiver's December 20, 2018, Show Cause Motion is deemed withdrawn, and the Court's January 3, 2019, Show Cause Order and the January 29, 2019, Show Cause hearing are hereby vacated;<sup>1</sup>
- B. The Ohio Receiver shall have the authority to manage, possess, and control the Ohio Property that is the subject of the Motion as of January 24, 2019;
- C. The Colorado Receiver shall cooperate with the Ohio Receiver to turn over documents and other materials reasonably requested by the Ohio Receiver that are necessary for the Ohio Receiver to manage the Ohio Property;
- D. The Colorado Receiver shall have until February 14, 2019, to either (1) disclaim the Estate's interest in the management, control, and right to sell the Ohio Property; or (2) file a motion to sell the Estate's equity interest in the Borrower. If a motion to sell the Estate's equity interest in the Borrower is filed on or before February 14, 2019, the Colorado Receiver shall have 30 days from the date such motion to sell is filed, to close that sale, unless otherwise extended by agreement between the Colorado Receiver and the Lender; and
- E. Pending the expiration of the time periods in the preceding paragraph, Lender agrees not to seek an order of sale for the Ohio Property. If the time periods expire, the Colorado Receiver will not object to Lender's foreclosure of the Ohio Property.
- F. Nothing in this Order shall be construed to limit, abridge, or modify the Lender's rights under the governing loan documents or Ohio law, except as expressly set forth in such order.

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<sup>1</sup> Any capitalized terms not defined in this Order shall have the meaning ascribed to them in the Motion.

Dated: \_\_\_\_\_, 2019.

BY THE COURT:

\_\_\_\_\_  
Hon. District Court Judge

Attachment to Order - 2018CV33011