

DISTRICT COURT, DENVER COUNTY STATE OF COLORADO Denver District Court 1437 Bannock St. Denver, CO 80202	
Plaintiff: Chris Myklebust, Securities Commissioner for the State of Colorado v. Defendants: Gary Dragul, GDA Real Estate Services, LLC, and GDA Real Estate Management, LLC	▲ COURT USE ONLY ▲
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 No.: (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
RECEIVER’S MOTION FOR EXTENSION OF TIME TO FILE REPLY TO NATIONAL COMMERCIAL BUILDERS, INC.’S OBJECTION TO HICKORY CORNERS SALE MOTION	

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 asks the Court to grant him a seven-day extension to reply to National Commercial Builders, Inc.’s

Objection to the Receiver's Motion for Order Authorizing Sale of Hickory Corners ("NCB Objection"; filed March 4, 2019).

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

Counsel for the Receiver attempted to confer with counsel for NCB about the requested extension but has not received a response before this motion was filed.

Motion

1. On February 8, 2019, the Receiver filed his file his Motion for Order Authorizing Sale of Hickory Corners ("Sale Motion") seeking Court approval to sell the Hickory Corners shopping center to Nova Capital Partners, LLC ("Nova") for \$13.6 million.

2. Twenty-eight days later, on March 4, 2019, NCB filed its untimely Objection. NCB does not object to the Hickory Corners sale per se; instead, it objects to disbursing the net sales proceeds without paying its alleged mechanics' lien on the Hickory Corners property. NCB's Objection is therefore no impediment to approving the Sale Motion.

3. The Receiver did not receive notice of NCB's Objection on March 4th, either through the Court's electronic filing system, or otherwise. Only when the Receiver's counsel checked the Court's docket on Tuesday, March 5, 2019, did it discover NCB had objected.

4. The Receiver's reply to NCB's Objection is arguably due March 11, 2019.

5. The Receiver asks the Court to grant him a seven-day extension, until March 18, 2019, to file his reply. Good cause exists for the extension and it is not sought for an improper purpose.

6. The requested extension will not prejudice parties in interest or unnecessarily delay proceedings in this case. This is the Receiver's first request for an extension to file a reply to NCB's Objection.

WHEREFORE, the Receiver asks the Court to enter an Order granting him a seven-day extension of time, up to and including March 18, 2019, to reply to NCB's Objection.

Dated: March 11, 2019.

ALLEN VELLONE WOLF HELFRICH & FACTOR
P.C.

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ATTORNEYS FOR THE RECEIVER

CERTIFICATE OF SERVICE

I certify that on the March 11, 2019, a true and correct copy of the **RECEIVER'S MOTION FOR EXTENSION OF TIME TO FILE REPLY TO NATIONAL COMMERCIAL BUILDERS, INC.'S OBJECTION TO HICKORY CORNERS SALE MOTION** was filed and served via the Colorado Courts E-Filing system to the following:

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