DISTRICT COURT, DENVER COUNTY, STATE OF **COLORADO**

Denver District Court 1437 Bannock St. Denver, CO 80202 720.865.8612

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 Number: (303) 534-4499 pvellone@allen-vellone.com mgilbert@allen-vellone.com rsternlieb@allen-vellone.com

Case No: 2018CV33011

Division/Courtroom: 424

RECEIVER'S NOTICE CONCERNING EMPLOYMENT OF STICHTER RIEDEL BLAIN & POSTLER, P.A. AS LOCAL FLORIDA COUNSEL

Harvey Sender, the duly-appointed Receiver in this case, hereby gives notice that he has employed Barbara A. Hart of the firm Stitchter Riedel Blain & Postler P.A, as local counsel in Florida to represent him in matters concerning property of the receivership that is located in Clearwater Florida.

- 1. On August 15, 2018, the Securities Commissioner for the State of Colorado (the "Commissioner), filed his Complaint for Injunctive and Other Relief against Gary Dragul, GDA Real Estate Services, LLC, and GDA Real Estate Management, LLC (collectively, "Dragul and the DGA Entities").
- 2. On August 30, 2018, the Court entered its Order Appointing Receiver ("Receivership Order") which appointed Harvey Sender of Sender & Smiley LLC as receiver for Dragul and the GDA Entities, as well as for their respective properties and assets, and interests and management rights in related affiliated and subsidiary businesses (the "Estate"). Receivership Order, at p. 2, ¶ 5.
- 3. The Receivership Order gives the Receiver the authority to "hire and pay general counsel, accounting, and other professionals as may be reasonably necessary to the proper discharge of the Receiver's duties, and to hire, pay and discharge the personnel necessary to fulfill the obligations of the Receiver hereunder, including the retention of . . . other third parties to assist the Receiver in the performance of its duties hereunder, all within the Receiver's discretion[.]" Receivership Order, at p. 9, ¶ 13(l).
- 4. The Receiver has retained, Barbara A. Hart of the firm Stitchter Riedel Blain & Postler, P.A., 110 East Madison Street, Suite 200, Tampa, Florida 33602, as local counsel in Florida to assist him in administering Receivership Estate assets located in the state of Florida, namely the Clearwater Collection Shopping Center in Clearwater, Florida. Ms. Hart has been retained to advise the Receiver on Florida

law, procedure, and in obtaining an order from a Florida court authorizing the sale of the Estate property located there.

Dated: May 30, 2019.

ALLEN VELLONE WOLF HELFRICH & FACTOR P.C.

By: s/Rachel A. Sternlieb

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ATTORNEYS FOR THE RECEIVER, HARVEY SENDER

CERTIFICATE OF SERVICE

I certify that on May 30, 2019, a true and correct copy of **Receiver's Notice** Concerning Employment of Stichter Riedel Blain & Postler P.A. was filed and served via the Colorado Courts E-Filing system to the following:

Robert Finke, Esq.
Sueanna P. Johnson, Esq.
Matthew J. Bouillon Mascarenas
Attorney General
Ralph L. Carr Judicial Building
1300 Broadway, 8th Floor
Financial and Health Services Unit
Denver, CO 80203

ATTORNEYS FOR PLAINTIFF, CHRIS MYKLEBUST, SECURITIES COMMISSIONER FOR THE STATE OF COLORADO Jeffrey A. Springer, Esq. Springer & Steinberg P.C. 1600 Broadway Street, Suite 1200 Denver, CO 80202

ATTORNEYS FOR DEFENDANTS, GARY DRAGUL, GDA REAL ESTATE SERVICES, LLC AND GDA REAL ESTATE MANAGEMENT, LLC

s/ Terri M. Novoa

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.