

<p>DISTRICT COURT, DENVER COUNTY, STATE OF COLORADO Denver District Court 1437 Bannock St. Denver, CO 80202 720.865.8612</p>	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
<p>Plaintiff: CHRIS MYKLEBUST, 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>	
<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 pvellone@allen-vellone.com mgilbert@allen-vellone.com rsternlieb@allen-vellone.com</p>	<p>Case No: 2018CV33011</p> <p>Division/Courtroom: 424</p>
<p>WITHDRAWAL OF RECEIVER’S MOTION FOR ORDER AUTHORIZING SALE OF CLEARWATER COLLECTION</p>	

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 withdraws his Motion for Order Authorizing Sale of Clearwater Collection (the “Clearwater Sale Motion”) filed on February 21, 2019.

1. As set forth in the Clearwater Sale Motion, on or about February 15, 2019 the Receiver entered into a purchase and sale agreement for the sale of real property known as Clearwater Collection located at 21688-21800 U.S. Highway 19N, Clearwater, Florida 33765 (the "Property") to Fortune Capital Partners, Inc. ("Buyer") for \$17,100,000.00 (the "FCP PSA").

2. On April 8, 2019, the Court entered an Order authorizing the proposed sale.

3. Under the FCP PSA, closing was scheduled to occur on June 24, 2019, 30 days after the conclusion of Buyer's due diligence period.

4. Under the FCP PSA, Buyer, in its sole discretion for any reason, had the right to cancel the PSA during the due diligence period by delivering written notice to the Receiver. On May 20, 2019, the Buyer notified the Receiver it was terminating the FCP PSA due to its apparent dissatisfaction with the condition of the Property.

WHEREFORE, the Receiver hereby withdraws his Motion for Order Authorizing the Sale of Clearwater Collection filed on February 21, 2019.

Dated: May 30, 2019

ALLEN VELLONE WOLF HELFRICH & FACTOR, P.C.

By:


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ATTORNEYS FOR THE RECEIVER

CERTIFICATE OF SERVICE

I hereby certify that on May 30, 2019, I served a true and correct copy of the foregoing **WITHDRAWAL OF RECEIVER'S MOTION FOR ORDER AUTHORIZING SALE OF CLEARWATER COLLECTION** via CCE to the following:

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CERTIFICATION OF E-SERVICE ON KNOWN CREDITORS

A copy of the foregoing is also being served by electronic mail in accordance with the Court's February 1, 2019, Order Clarifying Notice Procedure and will be posted to the Receiver's website, <http://dragulreceivership.com/>

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