

<p>DISTRICT COURT, DENVER COUNTY, STATE OF COLORADO Denver District Court 1437 Bannock Street Denver, CO 80202</p>	<p>DATE FILED: August 6, 2019 10:46 AM FILING ID: 7544832319015 CASE NUMBER: 2018CV33011</p> <p style="text-align: center;">▲ COURT USE ONLY ▲</p>
<p>PLAINTIFF: Chris Mykelbust, Securities Commissioner for the State of Colorado</p> <p>v.</p> <p>Defendant: Gary Dragul, GDA Real Estate Services, LLC, and GDA Real Estate Management, LLC</p>	
<p>Attorneys for WBF/CT Associates, LLC: SHAPIRO BIEGING BARBER OTTESON LLP Duncan E. Barber, Atty. Reg. No. 16768 7979 E. Tufts Avenue, Suite 1600 Denver, CO 80237 (720) 488-0220 Email: dbarber@sbbolaw.com Phone Number: (720) 488-0220</p>	<p>Case Number: 2018CV33011</p> <p>Division/Courtroom: 424</p>
<p>UNOPPOSED MOTION TO HOLD MOTION FOR LEAVE TO FILE SUIT TO ESTABLISH VALIDITY OF NORTH CAROLINA LIEN IN ABEYANCE</p>	

WBF/CT Associates, LLC (“WBF/CT”) by and through counsel, hereby files its Motion to Hold Motion for Leave to File Suit to Establish Validity of North Carolina Lien in Abeyance.

As grounds, WBF/CT states as follows:

In support of this Motion, WBF/CT states the following:

1. Receiver does not oppose the relief requested in this motion.

2. On April 8, 2019, Receiver received leave of Court to sell Hickory Corners Box¹ pursuant to the Receiver's Motion for Order Authorizing Sale of Hickory Corners (the "Sale Motion"), real property located in Hickory, North Carolina.

3. WBF/CT had filed a Limited Objection to the Sale Motion, alleging a valid Second Deed of Trust on Hickory Corners Box.

4. On July 1, 2019, WBF/CT filed its Motion for Leave to File Suit to Establish Validity of North Carolina Lien (the "North Carolina Lien Motion") to establish the validity of its Second Deed of Trust and protect its rights thereunder, as required by the Order Appointing Receiver in this case. *See* Order Appointing Receiver, p. 18, ¶ 26.

5. Receiver has not filed a response to the North Carolina Lien Motion.

6. The parties have reached an agreement to resolve WBF/CT's North Carolina Lien Motion.

7. The Settlement Agreement will be filed shortly with the Court for approval.

8. During the approval process, the parties wish to hold WBF/CT's North Carolina Lien Motion in abeyance pending approval.

9. Upon approval, WBF/CT's Limited Objection to the Sale Motion and WBF/CT's North Carolina Lien Motion will be withdrawn.

10. If approval is not granted, then Receiver will file an objection to WBF/CT's North Carolina Lien Motion.

WHEREFORE, WBF/CT respectfully requests that the Court hold the North Carolina Lien Motion in abeyance, pending approval of the Settlement Agreement and such other relief as is consistent with the foregoing.

¹ Capitalized terms used herein shall have the meanings set forth in the underlying pleadings.

CERTIFICATE OF SERVICE

I certify that on August 6, 2019, a true and correct copy of the foregoing Motion to Hold Motion for Leave to File Suit to Establish Validity of North Carolina Lien in Abeyance was efiled and served via the Court's E-Filing System and additionally served via US Mail, first-class, postage prepaid to the following:

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