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| DISTRICT COURT, CITY AND COUNTY OF DENVER<br><b>STATE OF COLORADO</b><br>1437 Bannock Street<br>Denver, Colorado 80202  | DATE FILED: September 27, 2019 9:33 AM<br>FILING ID: 54E6A7CD7FB82<br>CASE NUMBER: 2019CV33375            |
| <b>Plaintiff:</b> HARVEY SENDER, as Receiver for Gary Dragul, GDA REAL ESTATE SERVICES, LLC, and GDA REAL ESTATE MANAGEMENT, LLC<br><br>v.<br><br><b>Defendants:</b> BANK OF AMERICA, N.A., AMERICAN EXPRESS COMPANY, and DISCOVERY BANK  | <p style="text-align: center;"><b>▲ COURT USE ONLY ▲</b></p> <hr/> Case No.: 2019CV033375<br><br>Div: 275 |
| <i>Attorneys for defendant Bank of America, N.A.</i><br><br><b>AKERMAN LLP</b><br>Justin D. Balsler (Reg. No. 34365)<br>Erin E. Edwards (Reg. No. 49459)<br>1900 Sixteenth Street, Suite 1700<br>Denver, Colorado 80202<br>Telephone: (303) 260-7712<br>Facsimile: (303) 260-7714<br>Email: justin.balsler@akerman.com<br>Email: erin.edwards@akerman.com |   |
| <b>UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND TO COMPLAINT</b>   |   |

Defendant Bank of America, N.A. (**BANA**) moves for an extension of time until November 1, 2019 to respond to plaintiffs Harvey Sender, GDA Real Estate Services, and GDA Real Estate Management's complaint.

C.R.C.P. 121 § 1-15(8) Certification: Undersigned counsel certifies she conferred with Mr. Sender, GDA Real Estate Services, and GDA Real Estate Management's counsel regarding the extension BANA requests. Mr. Sender, GDA Real Estate Services, and GDA Real Estate Management do not oppose.

1. Mr. Sender, GDA Real Estate Services, and GDA Real Estate Management filed their complaint on August 30, 2019. They served BANA in Colorado on September 11, 2019.

BANA's answer deadline is October 2, 2019, as a result. *See* C.R.C.P. 12(a).

2. Under C.R.C.P. 6(b), the court, "for good cause shown may, at any time in its discretion . . . with or without motion or notice, order the period enlarged if request therefore is made before the expiration of the period originally prescribed."

3. This motion is timely because BANA's answer deadline has not expired.

4. Good cause exists to extend BANA's answer deadline by thirty days, from October 2 2019 to November 1, 2019, because undersigned counsel needs additional time to investigate the claims alleged in the complaint. The parties are also discussing settlement.

WHEREFORE, BANA respectfully requests an extension of time up to, through and including November 1, 2019, to answer or otherwise respond to Mr. Sender, GDA Real Estate Services, and GDA Real Estate Management's complaint.

Respectfully submitted, this the 27th day of September, 2019.

**AKERMAN LLP**

By: /s/ Erin E. Edwards  
Justin D. Balser, Reg. No. 34365  
Erin E. Edwards, Reg. No. 49459

*Attorneys for defendant Bank of America,  
N.A.*

**CERTIFICATE OF SERVICE**

I certify on this 27th day of September, 2019, a true and correct copy of the foregoing

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was filed and served via ICCES on the following:

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*/s/ Nick Mangels*  
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Nick Mangels