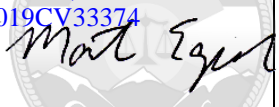


GRANTED BY COURT

<p>DISTRICT COURT, DENVER COUNTY STATE OF COLORADO Denver District Court 1437 Bannock St. Denver, CO 80202</p>	<p>10/31/2019 DATE FILED: October 31, 2019 3:05 PM CASE NUMBER: 2019CV33374</p>  <p>Martin Egelhoff Judge</p> <p>▲ COURT USE ONLY ▲</p>
<p>Plaintiff: Harvey Sender, as Receiver for Gary Dragul, GDA Real Estate Services, LLC, and GDA Real Estate Management, LLC.</p> <p>v.</p> <p>Defendants: Russell Becker, Joseph J. Peirce, and Ken Stoltzfus.</p>	<p>Case Number: 19CV33374</p> <p>Division/Courtroom: 269</p>
<p>Attorneys for Receiver:</p> <p>Patrick D. Vellone, #15284 Michael T. Gilbert, #15009 Jeremy T. Jonsen, #48859 Rachel A. Sternlieb, #51404 ALLEN VELLONE WOLF HELFRICH & FACTOR P.C. 1600 Stout St., Suite 1100 Denver, Colorado 80202 Phone Number: (303) 534-4499 mgilbert@allen-vellone.com pvellone@allen-vellone.com jjonsen@allen-vellone.com rsternlieb@allen-vellone.com</p>	<p>MOTION FOR EXTENSION OF TIME TO SERVE JOSEPH J. PEIRCE</p>

Plaintiff, Harvey Sender, solely in his capacity as Receiver for Gary Dragul, GDA Real Estate Services, LLC, and GDA Real Estate Management, LLC (the “Receiver”), pursuant to C.R.C.P. 4(m), asks the Court to enter an order granting the Receiver a thirty-one-day extension, through and including December 2, 2019, within

which to serve Defendant Joseph J. Peirce with the summons and complaint in this case (“Defendant”):

1. C.R.C.P. 4(m) provides that the Court may extend the time for service upon a showing of good cause. Good cause exists here to extend the time to serve the Defendant.

2. The Receiver filed his Complaint against Defendant, among others, on August 30, 2019.

3. Pursuant to C.R.C.P. 4(m), the Receiver is required to serve process on the Defendant on or before November 1, 2019.

4. The Receiver has diligently attempted to serve Defendant. Upon information and belief, the Receiver believed Defendant resided at 5125 West Lake Ave., Littleton CO 80123. The Receiver was unable to serve Defendant at this residence. *See Exhibit 1*. When the process server attempted service at this location on September 12, 2019, he was informed that Defendant was no longer the owner of this residence. *Id.*

5. After the Receiver was unable to serve Defendant in Colorado, he continued to further investigate Defendant’s whereabouts and obtained information indicating that Defendant may be living in Florida.

6. The Receiver thereafter attempted to serve Defendant at 13715 N.W. 11th Street, Pembroke Pines, FL 33028, which the Receiver reasonably believed to be Defendant’s Florida’s residence. Despite repeated service attempts, the Receiver was unable to serve Defendant at this residence. *See Exhibit 2*. On October 2, 2019, the

second service attempt, the Receiver was advised by Defendant's son-in-law that Defendant was vacationing in Costa Rica. *Id.* Thus, the Receiver attempted service on October 22, 2019, and October 24, 2019, in the hopes that Peirce had returned. *Id.*

7. The Receiver believes the Defendant is evading service and has actual notice of this action, given that the process servers spoke with his son-in-law.

8. The Receiver has diligently attempted to serve the Defendant in two states at two separate locations and continues to investigate other leads in an effort to locate and serve the Defendant.

9. Accordingly, good cause exists to extend the time to serve the Defendant.

10. If the Receiver can't serve Defendant by December 2, 2019, he anticipates filing a motion for substitute service.

WHEREFORE, the Receiver asks the Court to grant a thirty-one-day extension, through and including December 2, 2019, within which to serve Defendant.

Dated: October 30, 2019

ALLEN VELLONE WOLF HELFRICH & FACTOR P.C.



By: /s/ *Jeremy T. Jonsen*

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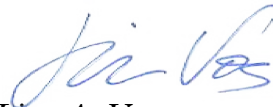
ATTORNEYS FOR THE PLAINTIFF, AS RECEIVER

CERTIFICATE OF SERVICE

I hereby certify that on October 30, 2019, I served a true and correct copy of the foregoing on the Colorado Courts E-Filing system to the following or by USPS postage prepaid:

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Russell Becker (VIA USPS)
16 La Villita Circle NE
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s/ Lisa A. Vos

Allen Vellone Wolf Helfrich & Factor P.C.