

<p>DISTRICT COURT, DENVER COUNTY STATE OF COLORADO Denver District Court 1437 Bannock St. Denver, CO 80202</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: GARY J. DRAGUL, an individual; BENJAMIN KAHN, an individual; THE CONUNDRUM GROUP, LLP, a Colorado Limited Liability Company; SUSAN MARKUSCH, an individual; ALAN C. FOX, an individual; ACF PROPERTY MANAGEMENT, INC.; a California Corporation, MARLIN S. HERSHEY, an individual; and PERFORMANCE HOLDINGS, INC., a Florida Corporation; JOHN AND JANE DOES 1 – 10; and XYZ CORPORATIONS 1 – 10.</p>	<p>▲ COURT USE ONLY ▲</p>
<p>Attorneys for Plaintiff: Patrick D. Vellone, #15284 Rachel A. Sternlieb, #51404 Michael T. Gilbert, #15009 ALLEN VELLONE WOLF HELFRICH & FACTOR P.C. 1600 Stout St., Suite 1100 Denver, Colorado 80202 Phone Number: (303) 534-4499 pvellone@allen-vellone.com rsternlieb@allen-vellone.com mgilbert@allen-vellone.com</p>	<p>Case Number: 2020CV30255</p> <p>Division/Courtroom: 414</p>
<p>WAIVER AND ACCEPTANCE OF SERVICE OF SUMMONS</p>	

I, John M. Palmeri, attorney for Benjamin Kahn and The Conundrum Group, LLP, Defendants in this action, acknowledge receipt of the Plaintiff's Complaint, Complaint Exhibit Index, Exhibits, Summons, District Court Civil Case Cover Sheet and Delay Reduction Order in the above action.

I am authorized by Benjamin Kahn and The Conundrum Group, LLP and do agree on behalf of Benjamin Kahn and The Conundrum Group, LLP. that service of process is accepted as provided by Rule 4 of the Colorado Rules of Civil Procedure.

Benjamin Kahn and The Conundrum Group, LLP. retain all defenses or objections to the Complaint or to the jurisdiction of the Court, except for objections based on a defect in the Summons or in the service of the Summons.

Dated this 31st day of January, 2020.

By: _____



John M. Palmeri
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