

<p>DISTRICT COURT, DENVER COUNTY, COLORADO</p> <p>1437 Bannock Street Denver, CO 80202</p> <hr/> <p>DAVID S. CHEVAL, Acting Securities Commissioner for the State of Colorado,</p> <p>Plaintiff,</p> <p>v.</p> <p>GARY DRAGUL, GDA REAL ESTATE SERVICES, LLC, and GDA REAL ESTATE MANAGEMENT, LLC,</p> <p>Defendants.</p>	<p>DATE FILED: February 10, 2020 3:12 PM FILING ID: 73C05E2DE5B29 CASE NUMBER: 2018CV33011</p> <p>▲ COURT USE ONLY ▲</p>
<p>PHILIP J. WEISER, Attorney General ROBERT W. FINKE, 40756* First Assistant Attorney General Ralph L. Carr Judicial Building 1300 Broadway, 8th Floor Denver, CO 80203 Tel: (720) 508-6000 Fax: (720) 508-6037 robert.finke@coag.gov *Counsel of Record <i>Attorney for Plaintiff, David S. Cheval, Acting Securities Commissioner for the State of Colorado</i></p>	<p>Case No.: 2018CV33011</p> <p>Courtroom: 424</p>
<p>FIFTH STATUS REPORT WITH REQUEST FOR EXTENSION OF STAY</p>	

Plaintiff David S. Cheval, Acting Securities Commissioner for the State of Colorado, by and through the Colorado Attorney General and undersigned counsel, hereby submits this Fifth Status Report with Request for Extension of Stay and states as follows:

1. Undersigned counsel certifies that he attempted to confer with counsel for Defendant Gary Dragul, and has not heard back from them.

2. On October 10, 2019, the Parties filed their Fourth Joint Status Report with Request for Extension of Stay for 120 days.

3. Since the Parties' Fourth Status Report, the Receiver entered into a stipulated final judgment against Dragul, and initiated case 2020CV30255¹ as part of his ongoing attempts to recover assets for the benefit of the Receivership Estate.

4. On November 15, 2019, Gary Dragul was arraigned in *People v. Dragul*, Arapahoe County District Court criminal case 2018CR1092, with final arraignment set for February 12, 2020.

5. On January 23, 2020, the Court granted Springer and Steinberg, P.C.'s motion to withdraw from representation of Defendants Gary Dragul, GDA Real Estate Services, LLC and GDA Real Estate Management, LLC, in this case.

6. On February 6, 2020, the law firm of Jones & Keller, P.C. filed an entry of appearance on behalf of Defendant Gary Dragul. Defendants GDA Real Estate Services, LLC, and GDA Real Estate Management, LLC remain unrepresented.

7. Due to Gary Dragul's imminent criminal arraignment and change of counsel in this matter; and because the work of the Receivership is still outstanding; the Securities Commissioner requests an additional stay of 120 days from approval of this Status Report with the same terms and conditions as

¹ The Receiver filed a Notice of Related Case on January 22, 2020 requesting the case be assigned to this Court.

previously permitted so that said stay will not bar any taken action by or on behalf of the Receiver.

Respectfully submitted this 10th day of February, 2020.

PHILIP J. WEISER
Attorney General

/s/ Robert W. Finke

ROBERT W. FINKE, 40756*
First Assistant Attorney General
Financial and Health Services Unit
*Attorney for Plaintiff David S. Cheval, Acting
Securities Commissioner*
*Counsel of Record

CERTIFICATE OF SERVICE

I certify that I have duly served the foregoing **FIFTH STATUS REPORT WITH REQUEST FOR EXTENSION OF STAY** upon all parties herein through the Colorado Courts E-Filing system or via email this 10th day of February, 2020, addressed as follows:

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