

<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 v. 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 Defendant Gary J. Dragul Paul L. Vorndran, Atty. Reg. No. 22098 Christopher S. Mills, Atty. Reg. No. 42042 Jones & Keller, P.C. 1999 Broadway, Suite 3150 Denver, CO 80202 Phone: 303-573-1600 Email: pvorndran@joneskeller.com cmills@joneskeller.com</p>	<p>Case No. 2020CV30255 Courtroom: 414</p>
<p>DEFENDANT GARY J. DRAGUL’S UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND TO PLAINTIFF’S COMPLAINT</p>	

Defendant Gary J. Dragul (“Defendant”), through his counsel, Jones & Keller, P.C., moves this Court for a two-week extension of time, to and including March 17, 2020, in which to respond to Plaintiff’s Complaint, and as grounds, states as follows:

1. Pursuant to C.R.C.P. 121 §1-15, the undersigned conferred with counsel for Plaintiff and counsel for ACF Property Management, Inc., the only parties who have entered an appearance in this matter. Counsel for both parties have informed the undersigned that they do not oppose the relief sought herein.

2. Defendant was served with Plaintiff’s Complaint on February 12, 2020 by executing a waiver of service. His current deadline to answer or otherwise respond to Plaintiff’s Complaint is March 4, 2020.

3. Due to the complexity of this case, including the 271 allegations in Plaintiff's Complaint, the multiple related cases, including the Receivership cases and two criminal actions, and the complex nature of the real estate transactions, Defendant does not believe he can fully respond to Plaintiff's Complaint by the March 4, 2020 date.

4. Counsel is also in the process of obtaining Defendant's file from previous counsel in the related 2018CV33011 Receivership case, which, due to the volume, could delay the ability to fully respond to Plaintiff's Complaint.

5. No party will be prejudiced by the delay. The Court has already granted a similar extension to Defendant ACF Property Management, Inc., and no other party has entered an appearance yet in this case.

6. A Proposed Order is attached.

WHEREFORE, Defendant Gary J. Dragul respectfully requests a two-week extension of time, to and including March 17, 2020, in which to respond to Plaintiff's Complaint.

Dated this 12th day of February, 2020.

JONES & KELLER, P.C.

/s/ Paul L. Vorndran

Paul L. Vorndran, #22098

Christopher S. Mills, #42042

*ATTORNEYS FOR DEFENDANT GARY J.
DRAGUL*

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of February, 2020, a true and correct copy of the foregoing **DEFENDANT GARY J. DRAGUL'S UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND TO PLAINTIFF'S COMPLAINT** was filed and served via the Colorado Court E-filing system to the following:

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