

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Case No. 19-cv-02875-WJM-NYW

HARVEY SENDER, AS RECEIVER FOR GARY DRAGUL,
GDA REAL ESTATE SERVICES, LLC,
AND GDA REAL ESTATE MANAGEMENT, LLC,

Plaintiff,

v.

BANK OF AMERICA, N.A.,
AMERICAN EXPRESS COMPANY,
AND DISCOVER BANK,

Defendants.

**UNOPPOSED MOTION TO EXTEND DEADLINE TO SUBMIT
STIPULATION OF DISMISSAL**

Defendant Bank of America, N.A. moves to extend the deadline for the parties to submit dismissal documents as to Bank of America. The following grounds support this Motion:

1. On December 5, 2019, this Court entered an Order resetting the Scheduling Conference until February 10, 2020, to allow the Plaintiff and the Defendants to finalize their settlement and dismiss the case by February 3, 2020.
2. As stated in the stipulated notice of settlement filed December 4, 2019, Plaintiff and the Defendants have reached a settlement agreement in principal. (ECF No. 27.)
3. Plaintiff and Bank of America have been negotiating the terms of the settlement agreement in good faith and have been exchanging draft agreements memorializing the terms of

the settlement. Once the settlement agreement is finalized, it will need to be submitted to and approved by the Receivership Court. Plaintiff and Bank of America anticipate this will be accomplished on or before March 5, 2020.

4. Bank of America requests that the Scheduling Conference be vacated to allow additional time to finalize the terms of the settlement and to have the settlement agreement approved by the Receivership Court.

5. To provide adequate time to complete these tasks, Bank of America requests an additional 31 days, up to and including Monday, March 5, 2020, to submit the stipulation of dismissal between Plaintiff and Bank of America.

6. Counsel for Plaintiff has reviewed the form and content of this Motion and the proposed order and approves of same.

WHEREFORE, Defendant Bank of America requests that the Court consider this Motion, vacate the scheduling conference set for February 10, 2020, and extend the deadline to enter the dismissal with the Court to, through and including March 5, 2020, and for such other and further relief that the Court deems appropriate.

Respectfully submitted, this the 29th day of January, 2020.

s/ Erin Edwards

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Attorneys for Defendant Bank of America, N.A.

CERTIFICATE OF SERVICE

I hereby certify on January 29, 2020, a true and correct copy of **UNOPPOSED MOTION TO EXTEND DEADLINE TO SUBMIT STIPULATION OF DISMISSAL** was served via electronic mail on the following:

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Defendants.

**[PROPOSED] ORDER GRANTING UNOPPOSED MOTION
TO EXTEND DEADLINE TO ENTER DISMISSAL**

THIS MATTER came before the Court upon the *Unopposed Motion to Extend Deadline to Submit Stipulation of Dismissal*, filed by defendant, Bank of America, N.A. The Court, having considered the Motion, and being otherwise fully advised in the premises, ORDERS as follows:

1. The Motion is GRANTED.
2. The scheduling conference set for February 10, 2020 is VACATED.
3. The deadline for the parties to submit the stipulation of dismissal as to Bank of America, N.A. is extended to, through and including March 5, 2020.

DATED this ____ day of _____, 2020.

Magistrate Judge Nina Y. Wang



INTERNAL SSC MEMORANDUM

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