

DISTRICT COURT, CITY AND COUNTY OF DENVER, COLORADO Court Address: 1437 Bannock Street Denver, CO 80202 Telephone: 303-606-2429	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
Plaintiff: DAVID S. CHEVAL, Acting Securities Commissioner for the State of Colorado, v. Defendants: GARY J. DRAGUL, GDA REAL ESTATE SERVICES, LLC, and GDA REAL ESTATE MANAGEMENT, LLC.	
Attorneys for Creditors Alan C. Fox and ACF Property Management, Inc.: Lucas T. Ritchie, Atty. Reg. No. 35805 Eric B. Liebman, Atty. Reg. No. 27051 Joyce C. Williams, Atty. Reg. No. 52930 MOYE WHITE LLP 16 Market Square 6 th Floor 1400 16 th Street Denver, CO 80202 Telephone: 303-292-2900 Email: Luke.Ritchie@moyewhite.com Eric.Liebman@moyewhite.com Joyce.Williams@moyewhite.com	Case Number: 2018CV33011 Courtroom 424
CREDITORS ALAN C. FOX AND ACF PROPERTY MANAGEMENT, INC.’S UNOPPOSED MOTION FOR ENLARGEMENT OF TIME TO RESPOND TO RECEIVER’S MOTION FOR TURNOVER	

Creditors Alan C. Fox and ACF Property Management, Inc. (collectively, “Fox Creditors”), through counsel, move the Court for an order granting them a twenty-one day enlargement of time, to and including, **Monday, April 13, 2020**, within which to respond to the Motion for Turnover vs. Alan C. Fox and ACF Property Management, Inc. (the “Turnover Motion”), filed by Harvey Sender, as receiver for Gary Dragul, GDA Real Estate Services, LLC, and GDA Real Estate Management, LLC (the “Receiver”). As good cause for the requested relief, Fox Creditors state as follows:

C.R.C.P. 121 §1-11 CERTIFICATE OF SERVICE ON CLIENTS

The undersigned certifies that a copy of this motion has been served upon the Fox Creditors.

C.R.C.P. 121 §1-15, ¶ 8 CERTIFICATE OF CONFERRAL

The undersigned certifies that he has in good faith conferred with the Receiver's counsel about this motion and, based thereon, advises the Court that the Receiver does not oppose the requested enlargement.

1. On March 13, 2020, the Receiver filed and served his Turnover Motion. Pursuant to paragraph 34 of the Order Appointing Receiver ("Receivership Order"), the Fox Creditors have ten days after service to respond to the Turnover Motion, making their current deadline Monday, March 23, 2020.

2. The Fox Creditors' requested twenty-one day enlargement of time is necessary because of the following:

- a. the complexity of the underlying facts and issues raised in the Turnover Motion, all of which must be assessed before responding; and
- b. the office closures, business interruptions, and other significant perils attendant to Covid-19's arrival in Colorado and its "global pandemic" status.

3. The requested enlargement will not interfere with any time currently set for the completion of discovery, for a hearing of a motion, or for trial.

4. The Receiver has already agreed to the requested enlargement and thus will not be prejudiced. Further, the requested enlargement is not sought for improper purposes or to unnecessarily delay this action.

5. The Fox Creditors have not previously sought an extension of time in this action.

WHEREFORE, the Fox Creditors respectfully request that the Court enter an order granting them a twenty-one day enlargement of time, to and including, **Monday, April 13, 2020**, within which to respond to the Turnover Motion.

A proposed order granting the requested relief is submitted herewith.

Dated: March 20, 2020.

Respectfully submitted,

MOYE WHITE LLP

s/ Lucas T. Ritchie

Lucas T. Ritchie

Eric B. Liebman

Joyce C. Williams

*Attorneys for Creditors Alan C. Fox and
ACF Property Management, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on March 20, 2020 a true and correct copy of the foregoing was electronically filed via CCEF and served on the following:

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s/ Brenda K. Sussman