

<p>DISTRICT COURT, CITY AND COUNTY OF DENVER, COLORADO Court Address: 1437 Bannock Street Denver, CO 80202 Telephone: 303-606-2429</p>	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
<p>Plaintiff: DAVID S. CHEVAL, Acting Securities Commissioner for the State of Colorado,</p> <p>v.</p> <p>Defendants: GARY J. DRAGUL, GDA REAL ESTATE SERVICES, LLC, and GDA REAL ESTATE MANAGEMENT, LLC.</p>	
<p><i>Applicant Attorney</i> Gary S. Lincenberg, California #123058 BIRD MARELLA BOXER WOLPERT NESSIM DROOKS LINCENBERG & RHOW, P.C. 1875 Century Park East, 23rd Floor Los Angeles, CA 90067 Telephone: 310-201-2100 Email: glincenberg@birdmarella.com</p> <p><i>Sponsoring/Associate Attorneys</i> 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 6th Floor 1400 16th Street Denver, CO 80202 Telephone: 303-292-2900 Email: Luke.Ritchie@moyewhite.com Eric.Liebman@moyewhite.com Joyce.Williams@moyewhite.com</p>	<p>Case Number: 2018CV33011</p> <p>Courtroom 424</p>
<p style="text-align: center;">VERIFIED MOTION REQUESTING <i>PRO HAC VICE</i> ADMISSION FOR GARY S. LINCENBERG</p>	

Out-of-State attorney Gary S. Lincenberg (“Movant”) of Bird, Marella, Boxer, Wolpert, Nessim, Drooks, Lincenberg & Rhow, P.C. moves, pursuant to C.R.C.P. 121 § 1-2, and C.R.C.P.

205.3, for *pro hac vice* admission to practice before this Court in the above-captioned action. As grounds therefor, Movant states the following:

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, Plaintiff David S. Cheval's counsel, and Defendant Gary J. Dragul's counsel about this motion and, based thereon, advises the Court that these parties do not oppose Movant's requested *pro hac vice* admission.

1. C.R.C.P. 205.3 provides that an attorney and counselor at law in good standing from any other jurisdiction in the United States may, in the discretion of a Colorado court of record, be permitted to participate before the Court in a trial, argument, and other proceeding in the particular case in which the attorney is employed, provided that a member in good standing of the Bar of the State of Colorado is associated in such case at all stages of the case.

2. Movant is a member in good standing of the Bar of the State of California and has been assigned California bar admission number 123058. Movant has also been admitted in the following jurisdictions: U.S. Supreme Court (admitted November 2002), Ninth Circuit Court of Appeals (admitted July 1987), Fourth Circuit Court of Appeals (admitted May 2003), U.S. District Court for the Southern District of California (admitted September 1998), U.S. District Court for the Central District of California (admitted July 1986), and U.S. District Court for the Northern District of California (admitted December 1999).

3. Movant has previously sought and been granted *pro hac vice* admission on a single prior occasion in a Colorado court. That previous *pro hac vice* admission was granted on February 28, 2020, in the related civil action captioned *Harvey Sender, as Receiver for Gary Dragul, GDA*

Real Estate Services, LLC, and GDA Real Estate Management, LLC v. Gary J. Dragul, et. al., Denver District Court case number 2020CV30255 (Honorable Robert Lewis McGahey, Jr., presiding). Movant's two clients in that related action are the same two clients he seeks *pro hac vice* admission to represent in this action—ACF Property Management, Inc., and Alan C. Fox. Likewise, Movant's Sponsoring/Associate Attorney in that action is the same Colorado attorney sponsoring his *pro hac vice* admission in this action—Lucas T. Ritchie of Moye White, LLP.

4. Movant is in good standing in all Bars wherever admitted and has not been subject to any order of discipline or disability by any Bar, or had any request for *pro hac vice* admission denied or revoked.

5. Movant represents ACF Property Management, Inc. and Alan C. Fox and hereby verifies that he has notified ACF Property Management, Inc. and Alan C. Fox of this verified motion.

6. Movant hereby acknowledges that he is subject to the Colorado Rules of Professional Conduct, the Colorado Rules of Civil Procedure, and other Court rules, and that he will follow such rules throughout the *pro hac vice* admission, and that this verified motion complies with such rules.

7. Sponsoring/Associate Attorneys Lucas T. Ritchie, Eric B. Liebman, and Joyce C. Williams of Moye White LLP, Denver, Colorado, 80202, are all members in good standing of the Bar of the State of Colorado. Mr. Ritchie, Mr. Liebman, and/or Ms. Williams will be present and participate in a meaningful and substantial manner throughout all proceedings and the trial of this action.

9. Movant hereby certifies that he will serve a copy of this verified motion upon all counsel of record and on ACF Property Management, Inc. and Alan C. Fox.

10. By execution of the attached verification, the Sponsoring/Associate Attorney verifies his association on this matter.

WHEREFORE, Movant respectfully requests that the Court admit Gary S. Lincenberg *pro hac vice*, to practice before the Court in this action.

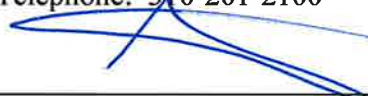
A proposed order granting the requested *pro hac vice* admission is submitted herewith.

DATED: March 23, 2020

Respectfully submitted,



Gary S. Lincenberg, California #123058
BIRD, MARELLA, BOXER, WOLPERT, NESSIM,
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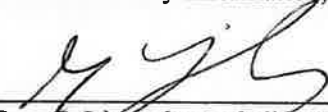


Lucas T. Ritchie, Atty. Reg. No. 35805
Eric B. Liebman, Atty. Reg. No. 27051
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16 Market Square 6th Floor
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*Attorneys for Creditors ACF Property Management,
Inc. and Alan C. Fox*

VERIFICATION

I, Gary S. Lincenberg, being duly sworn upon oath, hereby verify and affirm that I have read all of the statements contained in the foregoing Motion Requesting *Pro Hac Vice* Admission and that said statements are true and correct to the best of my information, knowledge and belief.



Gary S. Lincenberg, California #123058
BIRD, MARELLA, BOXER, WOLPERT, NESSIM,
DROOKS, LINCENBERG & RHOW, P.C.

STATE OF CALIFORNIA)
) ss
COUNTY OF LOS ANGELES)

The foregoing Verification was subscribed to and sworn before me this 23 day of March, 2020 by Gary S. Lincenberg, who was personally identified to me and known by me to be the person who signed above.

Witness my hand and official seal.

My commission expires April 13, 2022





Notary Public

VERIFICATION

I, Lucas T. Ritchie, being duly sworn upon oath, hereby verify and affirm that I have read all of the statements contained in the foregoing Motion Requesting *Pro Hac Vice* Admission and that said statements are true and correct to the best of my information, knowledge and belief.

Lucas T. Ritchie, Atty. Reg. No. 35805
MOYE WHITE LLP

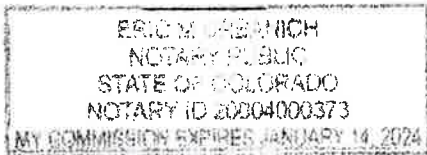
STATE OF COLORADO)
) ss
CITY AND COUNTY OF DENVER)

The foregoing Verification was subscribed to and sworn before me this 24th day of March, 2020, by Lucas T. Ritchie, who was personally identified to me and known by me to be the person who signed above.

Witness my hand and official seal.

My commission expires 1-14-2024

Notary Public



CERTIFICATE OF SERVICE

I hereby certify that on March 24, 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