

<p>DISTRICT COURT, DENVER COUNTY STATE OF COLORADO Denver District Court 1437 Bannock St. Denver, CO 80202 303.606.2433</p>	
<p>Plaintiff: David S. Cheval, Acting Securities Commissioner for the State of Colorado</p> <p>v.</p> <p>Defendants: Gary Dragul; GDA Real Estate Services, LLC; and GDA Real Estate Management, LLC</p>	<p>▲ COURT USE ONLY ▲</p>
<p>ATTORNEYS FOR PLAINTIFF, DAVID S. CHEVAL, ACTING SECURITIES COMMISSIONER FOR THE STATE OF COLORADO PHILIP J. WEISER, Attorney General ROBERT W. FINKE, 40756* First Assistant Attorney General JANNA K. FISCHER, 44952* Assistant Attorney General Ralph L. Carr Judicial Building 1300 Broadway, 8th Floor Denver, CO 80203 Tel: (720) 508-6000 robert.finke@coag.gov janna.fischer@coag.gov *Counsel of Record</p> <p>ATTORNEYS FOR RECEIVER HARVEY SENDER Patrick D. Vellone (#15284) Michael T. Gilbert (#15009) Rachel A. Sternlieb (#51404) ALLEN VELLONE WOLF HELFRICH & FACTOR P.C. 1600 Stout St., Suite 1900 Denver, Colorado 80202 Tel: (303) 534-4499 E-mail: pvellone@allen-vellone.com E-mail: mgilbert@allen-vellone.com E-mail: rsternlieb@allen-vellone.com</p>	<p>Case No: 2018CV33011</p> <p>Division/Courtroom: 424</p>
<p><u>UNOPPOSED</u> MOTION FOR AN EXTENSION OF TIME TO RESPOND TO HERSHEY MOTION TO INTERVENE</p>	

Plaintiff, David S. Cheval, Acting Securities Commissioner for the State of Colorado, and the Receiver, Harvey Sender, hereby request an extension of time, through and including April 27, 2020, to respond to the Motion to Intervene (“Motion to Intervene”) filed on March 31, 2020, by Marlin Hershey and Performance Holdings, Inc. (“Hershey”).

Certification pursuant to C.R.C.P. Rule 121, § 1-15(8):

Counsel for the Commissioner conferred with counsel for Hershey who does not oppose this extension.

Motion

1. The Commissioner and the Receiver’s (“Respondents”) responses to the Motion to Intervene are due on or before April 20, 2020. Respondents intend to file a joint response.

2. In order to allow Respondents time to prepare and file a joint response, and due to the press of business and issues created by the current pandemic, Respondents need additional time to file their joint response.

3. Respondents respectfully request a brief extension of time through and including April 27, 2020, within which to file their joint response to the Motion to Intervene.

4. The requested extension will not prejudice any party in interest or proceedings in this case, and Hershey consents.

WHEREFORE, Respondents ask the Court to enter an Order granting them through and including April 27, 2020, within which to file a joint response to the Motion to Intervene.

Dated: April 17, 2020.

PHILIP J. WEISER, ATTORNEY GENERAL

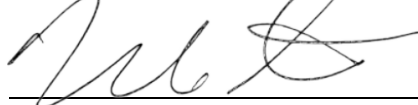
/s/ Janna K. Fischer

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/s/ Michael T. Gilbert

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Attorneys for the Receiver

CERTIFICATE OF SERVICE

I hereby certify that on April 17, 2020, I served a true and correct copy of the foregoing **UNOPPOSED MOTION FOR AN EXTENSION OF TIME TO RESPOND TO HERSHEY MOTION TO INTERVENE** via CCE to the following:

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s/Salowa Khan

Allen Vellone Wolf Helfrich & Factor, P.C.