

<p>DISTRICT COURT, DENVER COUNTY  STATE OF COLORADO  Denver District Court  1437 Bannock St.  Denver, CO 80202  303.606.2433</p>	<p>DATE FILED: June 10, 2020 3:38 PM  FILING ID: 42C0C46F59760  CASE NUMBER: 2018CV33011</p>
<p><b>Plaintiff:</b> Tung Chan, Securities Commissioner for the State of Colorado</p> <p>v.</p> <p><b>Defendants:</b> Gary Dragul; GDA Real Estate Services, LLC; and GDA Real Estate Management, LLC</p>	<p>▲ COURT USE ONLY ▲</p>
<p>ATTORNEYS FOR RECEIVER HARVEY SENDER</p> <p>Patrick D. Vellone, #15284  Michael T. Gilbert, #15009  Rachel A. Sternlieb, #51404  ALLEN VELLONE WOLF HELFRICH &amp; FACTOR P.C.  1600 Stout St., Suite 1900  Denver, Colorado 80202  Tel: (303) 534-4499  pvellone@allen-vellone.com  mgilbert@allen-vellone.com  rsternlieb@allen-vellone.com</p>	<p>Case No: 2018CV33011</p> <p>Division/Courtroom: 424</p>
<p><b>RECEIVER'S <u>UNOPPOSED</u> MOTION FOR AN EXTENSION OF TIME TO SUBMIT REPLY IN SUPPORT OF FOURTH APPLICATION FOR PROFESSIONAL FEES AND EXPENSES AND FOR LEAVE TO FILE IN EXCESS OF THE PAGE LIMIT</b></p>	

Harvey Sender, Receiver, hereby requests (1) an extension of time, through and including June 26, 2020, to submit his reply in support of the Fourth Application for Professional Fees and Expenses (“Fourth Fee App.”), and (2) leave to file an

additional ten (10) pages in excess of the page limit for replies as provided by C.R.C.P. 121, § 1-15(1)(a), (a total of 20 pages).

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

The Receiver's counsel has conferred with counsel for Gary Dragul who does not oppose the requested relief.

**I. MOTION**

1. The Receiver filed the Fourth Fee App on May 11, 2020. Dragul requested an extension of 11-days to file an objection thereto, as Dragul indicated due to the substantive and fact-intensive nature of the Fourth Fee App. The Receiver did not consent to the extension of time because as undersigned explained to counsel, Dragul lacks standing to object. The Court never entered an order Dragul's request for an extension.

2. On June 5, 2020, Dragul filed his objection to the Fourth Fee App (the "Objection"). The Objection, which is 15 pages in length, was submitted with 333 pages of exhibits. The Receiver's reply is presently due on June 12<sup>th</sup>.

3. Due to the complexity of the underlying facts and issues raised in the Objection, and the office closures, business interruptions, and other significant perils attendant to Covid-19's arrival in Colorado and its global pandemic status, the Receiver needs additional time and pages to reply to Dragul's Objection.

4. Dragul does not oppose the requested extension of time or page limitation.

5. The Receiver therefore requests that the Court allow him an additional two weeks, or until June 26<sup>th</sup>, to submit his reply, and requests leave to submit a reply in excess of the 10-page limitation set forth in C.R.C.P. 121, § 1-15(1)(a), by an additional 10 pages (for a total of 20 pages).

WHEREFORE, the Receiver asks the Court grant the relief sought herein, namely, an extension of time, through and including June 26, 2020, to file his reply in support of the Fourth Fee App, and leave to file his reply 10-pages in excess of the limit for a total of 20-pages.

Dated: June 10, 2020.

ALLEN VELLONE WOLF HELFRICH & FACTOR P.C.

  
~~/s/ Rachel A. Sternlieb~~

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Attorneys for the Receiver

**CERTIFICATE OF SERVICE**


I hereby certify that on June 10, 2020, I served a true and correct copy of the foregoing **RECEIVER'S UNOPPOSED MOTION FOR AN EXTENSION OF TIME TO SUBMIT REPLY IN SUPPORT OF FOURTH APPLICATION FOR PROFESSIONAL FEES AND EXPENSES AND LEAVE TO FILE IN EXCESS OF THE PAGE LIMIT** via CCE to the following:

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s/ Terri M. Novoa   
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