


<p>DISTRICT COURT, DENVER COUNTY, COLORADO</p> <p>1437 Bannock Street Denver, CO 80202</p>	<p style="text-align: center;"><b>APPROVED BY COURT</b></p> <p style="text-align: center;">07/07/2020</p> <p>DATE FILED: July 7, 2020 2:38 PM CASE NUMBER: 2018CV33011</p> 
<p>TUNG CHAN, Securities Commissioner for the State of Colorado,</p> <p>Plaintiff,</p> <p>v.</p> <p>GARY DRAGUL, GDA REAL ESTATE SERVICES, LLC, and GDA REAL ESTATE MANAGEMENT, LLC,</p> <p>Defendants.</p>	<p style="text-align: center;"><b>MARTIN FOSTER EGELHOFF</b> District Court Judge</p> <p style="text-align: center;">▲ COURT USE ONLY ▲</p>
<p>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, 8<sup>th</sup> Floor Denver, CO 80203 Tel: (720) 508-6000 Fax: (720) 508-6037 robert.finke@coag.gov *Counsel of Record <i>Attorneys for Plaintiff, Tung Chan, Securities Commissioner for the State of Colorado</i></p>	<p>Case No.: 2018CV33011</p> <p>Courtroom: 424</p>
<p style="text-align: center;"><b>SIXTH STATUS REPORT WITH REQUEST FOR EXTENSION OF STAY</b></p>	

Plaintiff Tung Chan, Securities Commissioner for the State of Colorado, by and through the Colorado Attorney General and undersigned counsel, hereby submits this Sixth Status Report with Request for Extension of Stay and states as follows:

1. Undersigned counsel certifies that he conferred with counsel for Defendant Gary Dragul, and counsel for Defendant does not oppose this motion.

2. On February 10, 2020, the Parties filed their Fifth Joint Status Report with Request for Extension of Stay for 120 days.

3. Since the Parties' Fifth Status Report, nonparty Marlin Hershey moved to intervene in this case. The Court denied that motion on May 14, 2020. Defendant moved to clarify the Receivership Order in this case. The Court denied that motion on May 14, 2020.

4. The Receiver filed his Fourth Application for Professional Fees and Expenses on May 11, 2020. Defendant objected to that Application, and this Court's approval is pending.

5. Nonparty creditors ACF Property Management, Inc., and Alan C. Fox have filed an objection to the Receiver's outstanding Motion for Turnover. A hearing on the Motion for Turnover is set for July 30, 2020.

6. On June 26, 2020, Gary Dragul was arraigned in *People v. Dragul*, Arapahoe County District Court criminal case 2018CR1092. Dragul was not represented and advised the Arapahoe Court that he was close to retaining private counsel. The Arapahoe Court continued the arraignment to August 7, 2020.

7. Due to Gary Dragul's imminent criminal arraignment; and because the work of the Receivership is still outstanding; the Securities Commissioner requests an additional stay of 120 days from approval of this Status Report with the same terms and conditions as previously permitted so that said stay will not bar any taken action by or on behalf of the Receiver.

Respectfully submitted this 2<sup>nd</sup> day of July, 2020.

PHILIP J. WEISER  
Attorney General

*/s/ Robert W. Finke*

---

ROBERT W. FINKE, 40756\*

First Assistant Attorney General

Financial and Health Services Unit

*Attorney for Plaintiff Tung Chan, Securities*

*Commissioner*

\*Counsel of Record

**CERTIFICATE OF SERVICE**

I certify that I have duly served the foregoing **SIXTH STATUS REPORT WITH REQUEST FOR EXTENSION OF STAY** upon all parties herein through the Colorado Courts E-Filing system or via email this 2<sup>nd</sup> day of July, 2020, addressed as follows:

Patrick D. Vellone, Esq.  
Michael T. Gilbert, Esq.  
Rachel A. Sternlieb, Esq.  
ALLEN VELLONE WOLF  
HELFRICH & FACTOR P.C.  
1600 Stout St., Suite 1100  
Denver, Colorado 80202

Paul L. Vorndran  
Christopher S. Mills  
Jones & Keller, P.C.  
1999 Broadway, Suite 3150  
Denver, CO 80202

*Counsel for Defendant Gary Dragul*

*Counsel for Receiver Harvey Sender*

*/s/ William Russell*

---