

APPROVED BY COURT

07/07/2020

DATE FILED: July 7, 2020 11:39 AM

CASE NUMBER: 2020CV30255



ROBERT LEWIS MCGAHEY JR
District Court Judge

DISTRICT COURT, DENVER COUNTY
STATE OF COLORADO
Denver District Court
1437 Bannock St.
Denver, CO 80202

Plaintiff: HARVEY SENDER, AS RECEIVER
FOR GARY DRAGUL; GDA REAL ESTATE
SERVICES, LLC; AND GDA REAL ESTATE
MANAGEMENT, LLC

v.

Defendants: GARY J. DRAGUL, an individual;
BENJAMIN KAHN, an individual; THE
CONUNDRUM GROUP, LLP, a Colorado
Limited Liability Company; SUSAN
MARKUSCH, an individual; ALAN C. FOX, an
individual; ACF PROPERTY MANAGEMENT,
INC.; a California Corporation, MARLIN S.
HERSHEY, an individual; and PERFORMANCE
HOLDINGS, INC., a Florida Corporation; JOHN
AND JANE DOES 1 – 10; and XYZ
CORPORATIONS 1 – 10.

**Attorney for Defendant Susan Markusch and Olson
Real Estate Services, LLC:**

THOMAS F. QUINN
THOMAS F. QUINN, P.C.
303 E. 17th Ave., Suite 920
Denver, Colorado 80203
Phone: 303.832.4355
Fax: 303.672.8281
E-mail: tquinn@tfqlaw.com
Atty. Reg. # 5887

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**UNOPPOSED MOTION FOR EXTENSION OF TIME
TO RESPOND TO AMENDED COMPLAINT**

Defendants Susan Markusch and Olson Real Estate Services, LLC (“Defendants”), by and through their undersigned counsel, hereby move the Court for an Order extending the time within which said Defendants may answer or otherwise respond to the Plaintiff’s First Amended Complaint (the “Complaint”). As grounds for the requested relief, Defendants state as follows:

1. Defendants are authorized to state that Plaintiff does not oppose the relief requested in this Motion.
2. Pursuant to an unopposed joint motion of all the Defendants, the time for filing of responses to the Complaint was extended to July 6, 2020. .
3. On June 29, 2020, undersigned counsel underwent chemotherapy treatment for prostate cancer. Complications from that treatment have resulted in effective temporary loss of use of counsel's left hand and general malaise.
4. Counsel is advised that his disabilities will most resolve as a matter of course. It is possible that if that does not occur, counsel will require surgery to his hand, which would result in a longer period of disability. Counsel hopes that he will be sufficiently recovered to permit preparation of a response for Ms. Markusch by this Friday, July 10, 2020..
5. Counsel requests an extension of the shortest duration that may be required assuming the best expected outcome of his condition.
6. Defendants have meritorious defenses to Plaintiff's Complaint.
7. For the above reasons, Defendants request an extension of time within which she may respond to Plaintiff's Complaint to and including July 10, 2020.
8. Granting the short extension of time requested herein will serve the interests of justice by permitting the Defendants to plead their defenses.

WHEREFORE, Defendants Susan Markusch and Olson Real Estate Services, LLC requests the Court to extend the time within said Defendants may answer or otherwise respond to

Plaintiff's First Amended Complaint to and including July 10, 2020. .

Date: July 6, 2020

THOMAS F. QUINN, P.C.

*Original signed copy of this pleading on file at the
offices of Thomas F. Quinn, P. C.*

/s/ Thomas F. Quinn

By: _____
Thomas F. Quinn, Esq., Reg No. 5887
Attorney for Defendant Susan Markusch
and Olson Real Estate Services, LLC

CERTIFICATE OF SERVICE

I hereby certify that on July 6, 2020 a true and correct copy of the foregoing pleading was provided to ICCES, with copies to be furnished, via ICCES to all counsel of record in this case. :

/s/ Thomas F. Quinn

Thomas F. Quinn