

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. 17<sup>th</sup> Ave., Suite 920  
Denver, Colorado 80203  
Phone: 303.832.4355  
Fax: 303.672.8281  
E-mail: [tquinn@tfqlaw.com](mailto: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. Defendants subsequently requested and this Court granted an extension of time within which they may respond to Plaintiff's Complaint to and including July 10, 2020. That request was based upon complications suffered by counsel from chemotherapy treatment and counsel's best expected outcome of his condition.
4. Counsel is advised that his disabilities will most likely fully resolve as a matter of course over period of 3-4 weeks from June 29, 2020. 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 Defendants by Friday, July 17, 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 Defendants may respond to Plaintiff's Complaint to and including July 17, 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 17, 2020. .

Date: July 9, 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 9, 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*

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Thomas F. Quinn