

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 FIRST 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. 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 defendants, the time for filing of responses to the First Amended Complaint was extended to July 6, 2020.
3. Defendants subsequently requested and this Court granted extensions of time within which they may respond to Plaintiff's Complaint to and including July 10, 2020, then July 17, 2020. Those extensions were based upon undersigned counsel's best expected recovery outcome from complications from chemotherapy treatment.
4. As it turns out, counsel's expectation of the time required for recovery from the complications of chemotherapy was overly optimistic. However, signs of healing are now manifest, and counsel is advised that recovery should be by and large complete by the week of July 20, 2020. Defendant's counsel believes it is highly likely that he can complete a response to Plaintiff's First Amended Complaint by July 31, 2020.
5. For the above reasons, Defendants request an extension of time within which they may respond to Plaintiff's First Amended Complaint to and including July 31, 2020.
5. Defendants have meritorious defenses to Plaintiff's First Amended Complaint.
6. For the above reasons, Defendants request an extension of time within which Defendants may respond to Plaintiff's First Amended Complaint to and including July 31, 2020.
7. 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 request the Court to extend the time within said Defendants may answer or otherwise respond to Plaintiff's First Amended Complaint to and including July 31, 2020.

Date: July 16, 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 16, 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