

<p>DISTRICT COURT, CITY AND COUNTY OF DENVER, COLORADO Court Address: 1437 Bannock Street Denver, CO 80202 Telephone: 303-606-2429</p>	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
<p>Plaintiff: HARVEY SENDER, AS RECEIVER FOR GARY DRAGUL, GDA REAL ESTATE SERVICES, LLC, and GDA REAL ESTATE MANAGEMENT, LLC,</p> <p>v.</p> <p>Defendants: GARY J. DRAGUL, BENJAMIN KAHN, THE CONUNDRUM GROUP, LLP, SUSAN MARKUSCH, ALAN C. FOX, ACF PROPERTY MANAGEMENT, INC., MARLIN S. HERSHEY, PERFORMANCE HOLDINGS, INC., OLSON REAL ESTATE SERVICES, LLC, JUNIPER CONSULTING GROUP, LLC, and JOHN AND JANE DOES 1-10, and XYZ CORPORATIONS 1-10.</p>	
<p>Attorneys for ACF Defendants:</p> <p>Lucas T. Ritchie, Atty. Reg. No. 35805 Eric B. Liebman, Atty. Reg. No. 27051 Joyce C. Williams, Atty. Reg. No. 52930 MOYE WHITE LLP 16 Market Square 6th Floor 1400 16th Street Denver, CO 80202 Telephone: 303-292-2900 Email: Luke.Ritchie@moyewhite.com Eric.Liebman@moyewhite.com Joyce.Williams@moyewhite.com</p> <p>and</p> <p>Gary S. Lincenberg (<i>admitted pro hac vice</i>) Sharon Ben-Shahar Mayer (<i>admitted pro hac vice</i>) James S. Threatt (<i>admitted pro hac vice</i>) BIRD, MARELLA, BOXER, WOLPERT, NESSIM, DROOKS, LINCENBERG & RHOW, P.C. 1875 Century Park East, Twenty-Third Floor Los Angeles, CA 90067 Telephone: 310-201-2100 Email: glincenberg@birdmarella.com smayer@birdmarella.com jthreatt@birdmarella.com</p>	<p>Case Number: 2020CV30255</p> <p>Courtroom 414</p>

JOINDER OF ACF IN UNOPPOSED JOINT MOTION OF DEFENDANTS MARLIN S. HERSHEY, PERFORMANCE HOLDINGS, INC., AND GARY DRAGUL FOR ENLARGEMENT OF TIME TO FILE REPLIES IN SUPPORT OF MOTION FOR CERTIFICATION OF INTERLOCUTORY APPEAL UNDER C.A.R. 4.2(a) PURSUANT TO C.R.S. § 13-4-102.1(1)

Defendants ACF Property Management, Inc. and Alan C. Fox (collectively “ACF”), through counsel, hereby join in and adopt as their own the Unopposed Joint Motion of Defendants Marlin S. Hershey, Performance Holdings, Inc., and Gary Dragul (collectively, “Moving Defendants”) for Enlargement of Time to File Replies in Support of Motion for Certification of Interlocutory Appeal Under C.A.R. 4.2(a) Pursuant to C.R.S. § 13-4-102.1(1), filed on December 23, 2020, with respect to the joint Motion for Certification of Interlocutory Appeal Under C.A.R. 4.2(a) Pursuant to C.R.S. 13-4-102.1, filed by ACF and Moving Defendants on November 12, 2020.

Dated: December 24, 2020

Respectfully submitted,

MOYE WHITE LLP

s/ Eric B. Liebman

Lucas T. Ritchie

Eric B. Liebman

Joyce C. Williams

and

BIRD, MARELLA, BOXER, WOLPERT, NESSIM,
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CERTIFICATE OF SERVICE

I hereby certify that on December 24, 2020, a true and correct copy of the foregoing was electronically filed via CCEF and served on the following:

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s/ Deanna S. Colvin