

<p>DISTRICT COURT, CITY AND COUNTY OF DENVER, COLORADO  1437 Bannock Street  Denver, CO 80202  Telephone: 303-606-2429</p>	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
<p><b>Plaintiff:</b> HARVEY SENDER, AS RECEIVER FOR GARY DRAGUL, GDA REAL ESTATE SERVICES, LLC, and GDA REAL ESTATE MANAGEMENT, LLC,  v.  <b>Defendants:</b> 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 JANE DOES 1-10, and XYZ CORPORATIONS 1-10.</p>	
<p><b>ATTORNEYS FOR RECEIVER HARVEY SENDER</b>  Patrick D. Vellone (#15284)  Michael T. Gilbert (#15009)  Rachel A. Sternlieb (#51404)  ALLEN VELLONE WOLF HELFRICH &amp; FACTOR, P.C.  1600 Stout St., Suite 1900  Denver, Colorado 80202  Tel: (303) 534-4499  E-mail: pvellone@allen-vellone.com  E-mail: mgilbert@allen-vellone.com  E-mail: rsternlieb@allen-vellone.com</p>	<p>Case Number:  2020CV30255    Courtroom 414</p>
<p><b>PLAINTIFF’S NOTICE OF VOLUNTARY DISMISSAL WITH PREJUDICE  AS TO DEFENDANTS ALAN C. FOX AND ACF PROPERTY  MANAGEMENT, INC.</b></p>	

Harvey Sender, the duly-appointed receiver (“Receiver”) for Gary Dragul, GDA Real Estate Services, LLC, GDA Real Estate Management, LLC, and related entities, through counsel, hereby gives notice, pursuant to C.R.C.P. 41(a)(1)(A), of his voluntary dismissal of this action with prejudice as to Defendants Alan C. Fox and

ACF Property Management, Inc. (jointly, the “ACF Defendants”), each party to pay his/its own fees and costs. Receiver confirms that all costs have been paid and that the ACF Defendants have not yet filed or served an answer or a motion for summary judgment. For the Court’s convenience, a proposed order is submitted herewith.

DATED: December 30, 2020

Respectfully submitted,

ALLEN VELLONE WOLF HERLFRICH & FACTOR  
P.C.

s/ *Michael T. Gilbert*

Patrick D. Vellone  
Michael T. Gilbert  
Rachel A. Sternlieb

ATTORNEYS FOR THE RECEIVER

## CERTIFICATE OF SERVICE

I hereby certify that on December 30, 2020 a true and correct copy of the foregoing was electronically filed via CCEF and served on the following:

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*s/Salowa Khan*  
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