

<p>DISTRICT COURT, DENVER COUNTY STATE OF COLORADO Denver District Court 1437 Bannock St. Denver, CO 80202</p>	
<p>TUNG CHAN, Securities Commissioner for the State of Colorado, Plaintiff, v. GARY DRAGUL, GDA REAL ESTATE SERVICES, LLC, and GDA REAL ESTATE MANAGEMENT, LLC, Defendants.</p>	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
<p>Attorneys for Defendant Gary Dragul: Paul L. Vorndran, Atty. Reg. No. 22098 Christopher S. Mills, Atty. Reg. No. 42042 Jones & Keller, P.C. 1675 Broadway, 26th Floor Denver, CO 80202 Phone: 303-573-1600 Email: pvorndran@joneskeller.com cmills@joneskeller.com</p> <p>Michael C. Van Shumway Van 8985 S Eastern Ave., Suite 100 Las Vegas, Nevada 89123 Phone: 702 478-7770 Email: Michael@shumwayvan.com</p>	<p>Case No. 2018CV33011 Courtroom: 424</p>
<p style="text-align: center;">DEFENDANT GARY DRAGUL’S UNOPPOSED MOTION TO FILE OMNIBUS 15-PAGE REPLY BRIEF TO BROWNSTEIN HYATT FARBER SCHRECK, LLP’S AND RECEIVER’S RESPONSES TO MOTION FOR LIMITED DISCOVERY</p>	

Defendant Gary Dragul (“Dragul”), through counsel, requests the Court grant him leave to file a 15-page omnibus reply brief in support of his Motion for Limited Discovery Regarding Brownstein Settlement and Request for Expedited Briefing Schedule (“Motion for Limited

Discovery”). The omnibus reply brief will reply to both (1) Brownstein Hyatt Farber Schreck, LLP’s (“BHFS”), and (2) the Receiver’s, Oppositions to Gary Dragul’s Motion for Limited Discovery. In support, Mr. Dragul states as follows:

CERTIFICATE OF CONFERRAL

Pursuant to C.R.C.P. 121 § 1-15(8), counsel for Dragul conferred with counsel for the Plaintiff Commissioner, BHFS, and the Receiver regarding the relief requested herein. Counsel for all parties do not oppose the relief requested.

1. On January 21, 2021, Dragul filed his Motion for Limited Discovery, which also sought an expedited briefing schedule. The Court granted the request for expedited briefing schedule on January 25, 2021.

2. The Receiver filed his Response to Dragul’s Motion for Limited Discovery (“Receiver’s Response”) and BHFS filed their Opposition to Defendant Gary Dragul’s Motion for Limited Discovery Regarding Brownstein Hyatt Settlement (“Brownstein Response”) on January 28, 2021. Pursuant to the Court’s Order, the replies to the Response and Opposition are due February 1, 2021. The Receiver’s and Brownstein’s Responses are a combined 27 pages.

3. Pursuant to C.R.C.P. 121 §1-15(1), reply briefs are limited to 10 pages.

4. There are several arguments and issues contained in both of the Responses that overlap in key areas. Filing separate replies to the Response and Opposition would be duplicative.

5. Mr. Dragul will be able to fully reply to both of the Responses with a single omnibus 15-page reply brief. While this is five pages longer than the Rules permit for a single

reply brief, it is effectively five pages shorter than the combined number of pages Mr. Dragul would be allowed if he filed two separate replies.

6. Thus, allowing Mr. Dragul to file a single 15-page omnibus reply brief would aid in judicial efficiency.

7. No party will be harmed by allowing Dragul to file a 15-page omnibus reply brief—indeed, none of the parties oppose.

8. A Proposed Order is attached.

WHEREFORE, Defendant Gary Dragul respectfully requests the Court allow him to file an omnibus 15-page reply brief to the Receiver's and BHFS's Responses to Mr. Dragul's Motion for Limited Discovery.

Respectfully submitted this 1st day of February, 2021.

s/ Christopher S. Mills

Paul L. Vorndran, #22098

Christopher S. Mills, #42042

*ATTORNEYS FOR DEFENDANT GARY J.
DRAGUL*

CERTIFICATE OF SERVICE

I certify that on this 1st day of February, a true and correct copy of the foregoing **DEFENDANT GARY DRAGUL'S UNOPPOSED MOTION TO FILE OMNIBUS 15-PAGE REPLY BRIEF TO BROWNSTEIN HYATT FARBER SCHRECK, LLP'S AND RECEIVER'S RESPONSES TO MOTION FOR LIMITED DISCOVERY** was filed and served via the Colorado Court's E-Filing system upon the following:

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