

District Court, Denver County, State of Colorado Denver District Court 1437 Bannock St. Denver, CO 80202 303.606.2433	DATE FILED: September 30, 2022 2:59 PM FILING ID: 6F7FD02946140 CASE NUMBER: 2018CV33011
<p><b>Plaintiff:</b> Tung Chan, Securities Commissioner for the State of Colorado</p> <p>v.</p> <p><b>Defendants:</b> Gary Dragul; GDA Real Estate Services, LLC; and GDA Real Estate Management, LLC</p>	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
<p><u>Attorneys for Receiver:</u>          Patrick D. Vellone, #15284          Michael T. Gilbert, #15009          Averil K. Andrews, # 56148          ALLEN VELLONE WOLF HELFRICH &amp; FACTOR P.C.          1600 Stout St., Suite 1900          Denver, Colorado 80202          Phone Number: (303) 534-4499          pvellone@allen-vellone.com          mgilbert@allen-vellone.com</p>	<p>Case No.: 2018CV33011</p> <p>Division/Courtroom: 424</p>
<b>RECEIVER'S SEVENTH REPORT</b>	

Harvey Sender, the duly-appointed receiver (“Receiver”) for Gary Dragul (“Dragul”), GDA Real Estate Services, LLC (“GDA RES”), GDA Real Estate Management, LLC (“GDA REM”), and related entities (collectively, “Dragul and the GDA Entities”), submits his seventh report concerning the status and condition of the Receivership Estate.

### I. Procedural History

1. On April 12, 2018, Dragul was indicted by a Colorado State Grand Jury on nine counts of securities fraud.

2. On August 15, 2018, Gerald Rome, the then Securities Commissioner for the State of Colorado (the “Commissioner”), filed his Complaint for Injunctive and Other Relief against Dragul and the GDA Entities.

3. On August 29, 2018, the Commissioner and Dragul and the GDA Entities filed a Stipulated Motion for Appointment of Receiver, consenting to the appointment of a receiver over Dragul and the GDA Entities pursuant to Colo. Rev. Stat. § 11-51-602(1) and C.R.C.P. 66.

4. On August 30, 2018, the Court entered a Stipulated Order Appointing Receiver (the “Receivership Order”) appointing Harvey Sender as receiver for the assets of Dragul and the GDA Entities, and their interests and management rights in related affiliated and subsidiary businesses (the “Receivership Estate” or the “Estate”). Receivership Order at 2, ¶ 5.

5. On March 1, 2019, Dragul was indicted by a Colorado State Grand Jury on five additional counts of securities fraud.

6. On April 27, 2020, Tung Chang was substituted as the Securities Commissioner.

7. As required by paragraph 14 of the Receivership Order, the Receiver previously submitted his preliminary report concerning the status of the Estate on November 28, 2018, and his Second, Third, Fourth, Fifth, and Sixth Reports on May 15, 2019, November 14, 2019, May 11, 2020, March 9, 2021, and November 11, 2021, respectively. A summary of Dragul’s investment scheme is set forth in the Receiver’s Third Report, which is available along with all material pleadings in this case (including all Receiver Reports) at <http://dragulreceivership.com>.

## **II. Dragul’s Criminal Trial**

8. After multiple continuances, Dragul’s criminal trial on his first indictment is scheduled for trial from November 7-17, 2022. Trial on Dragul’s second indictment is not yet scheduled.

### III. Remaining Receivership Assets

#### A. The Insider Case

9. The Receiver's Sixth Report submitted on November 11, 2021, summarizes the status of the Estate and the Receiver's efforts to recover property of the Estate. There are two primary assets of the Receivership Estate remaining to be administered. The first is the Estate's litigation claims in the Insider Case, *Sender v. Dragul, et al.*, Case No. 2020CV30255, Denver District Court. The Insider Case was filed January 21, 2020. See the Receiver's Fifth and Sixth Reports for the history of and a summary of the claims in the Insider Case.

10. Since the Receiver's Sixth Report, on June 21, 2022, the Court in the Insider Case denied Dragul's second motion for reconsideration of Dragul's motions to dismiss, and also denied his request to stay the Insider Case indefinitely until his criminal indictments are finally resolved. The Insider Case is now at issue and set for a four-week jury trial beginning May 8, 2023.

11. On July 6, 2022, the Receivership Court approved a settlement agreement between the Receiver and the Kahn Defendants in the Insider Case, pursuant to which the Kahn Defendants paid the Receivership Estate \$375,000, the Kahn Defendants dismissed their counterclaim against the Estate for \$738,000 in legal fees, and the parties exchanged mutual releases.

12. The remaining defendants in the Insider Case are Gary Dragul, Susan Markusch, and Marlin Hershey and his company Performance Holdings, Inc. The Receiver is seeking damages of approximately \$13 million against Dragul and Markusch jointly and severally, and approximately \$1 million against Hershey and Performance Holdings, Inc. On March 18, 2022, the Bankruptcy Court in Denver, Colorado, entered a judgment against Susan Markusch for \$268,269.11 for fraudulent transfers she received from Cornerstar Wine & Liquor, LLC, an entity purportedly owned and controlled by Dragul's wife Shelly. In April 2022, Hershey was indicted by a federal grand jury in North Carolina for securities fraud and the SEC has sought \$7.5 million in restitution. Hershey's trial is scheduled to commence September 12, 2022. The Receiver's efforts to settle his claims against these defendants in the Insider Case have not been successful.

## **B. Clearwater Bankruptcy Claims**

13. On April 19, 2022, Clearwater Plainfield 15, LLC, and Clearwater Collection 15, LLC, filed for bankruptcy in Colorado under Sub-Chapter V of Chapter 11 of the bankruptcy code. On March 3, 2020, the Receiver had abandoned the Receivership Estate's interest in these entities after efforts to sell the underlying Clearwater shopping center in Clearwater Florida proved unsuccessful.

14. After the Receiver abandoned the Estate's interest in the Clearwater entities, the lender on the properties – then Rialto Mortgage Finance, LLC – had its own receiver appointed for the shopping center by a Florida state court. Filings in the Colorado bankruptcy case indicate there is an offer to purchase the shopping center for \$22.5 million, although to date no contract has been presented to the bankruptcy court. The now secured lender on the property (RSS WFCM 2015-LC22-FL CC15, LLC) has filed a secured claim against the Clearwater entities for \$16,927,519.75. On August 22, 2022, the Receiver filed claims in the Clearwater bankruptcy cases totaling approximately \$3.7 million. At this time, the Receiver cannot predict what, if any, distribution may be made on these claims, or when that might occur.

## **C. Other Assets**

15. On June 4, 2019, the Receiver and the Securities Commissioner filed a Joint Motion for an Order Requiring Dragul to Turnover and Account for Property of the Estate (the "Turnover Motion"). The Turnover Motion was resolved in a settlement agreement in which Dragul agreed to turnover various assets to the Estate. The settlement agreement was approved by the Court on December 17, 2019. Pursuant to that settlement agreement, Dragul stipulated to the entry of judgment against him for \$120,000. Effective September 2, 2021, Dragul and the Receiver entered into an agreement pursuant to which Dragul has agreed to pay the Estate the full principal amount of the \$120,000 judgment, \$17,000 paid as of court approval of the settlement agreement, the remaining in payments of \$4,291.67 per month. To date, Dragul has paid \$72,800.04; \$47,199.96 remains to be paid over the next 11 months.

16. As of August 31, 2022, the balance in the Receivership account was \$1,648,760.70 and there are outstanding administrative expenses of \$176,727.43 as detailed in the Receiver's Seventh Application for Professional Fees and Expenses

being filed contemporaneously with this report. A detailed list of all Estate receipts and disbursements and its balance sheet as of August 31, 2022, is **Exhibit 1**.

#### **IV. Creditor Claims against the Estate**

17. The deadline for submitting claims against the Estate was March 18, 2019. Approximately 261 investors filed claims totaling approximately \$58 million. Claims submitted by investors (including Hagshama) relating to the five commercial properties transferred to Isabel Marina have been resolved. Based on the Receiver's present analysis, it appears allowable investor claims are not likely to exceed \$32 million. In addition, Hagshama filed claims for over \$100 million, third-party vendors filed claims of approximately \$4.8 million, and secured lenders filed claims for approximately \$105 million. Again, based on the Receiver's present analysis, Hagshama's allowable claim appears not to exceed \$25 million. Also, the vast majority of claims from secured lenders have been either satisfied or greatly reduced by the Estate's sales of the commercial and residential properties as discussed in prior Receiver reports. Additionally, some investors have filed independent claims in the Clearwater bankruptcy cases, which may offset or eliminate some claims those investors made against the Receivership Estate.

18. A number of claims have been filed after the bar date. Some claimants have represented they did not receive notice of the Receivership or the claims bar date. During the Receiver's claims review, he will consider allowing late-filed claims on an individual basis. A complete claims analysis has not yet been completed; the Receiver will thoroughly review claims when the Estate is considering making distributions.

#### **V. Administrative Expenses**

19. Effective October 31, 2021, the Estate had paid the following professional fees and expenses as detailed in the Receiver's first six fee applications: **First Application**: submitted December 6, 2018 (for the period August 30, 2018, through November 30, 2018); **Second Application**: submitted April 19, 2019 (for the period December 1, 2018, through March 31, 2019); **Third Application**: submitted November 14, 2019 (for the period April 1, 2019, through October 31, 2019); **Fourth Application**, submitted May 11, 2019 (for the period November 1, 2019, through March 31, 2020); **Fifth Application**: submitted March 9, 2021 (for the period April 1, 2020, through February 28, 2021); **Sixth**

**Application:** submitted November 11, 2021 (for the period March 1, 2021, through October 31, 2021):

<b>PROFESSIONAL FEES AND EXPENSES PAID</b>		
<b>AUGUST 30, 2018 – OCTOBER 31, 2021</b>		
<b>Provider</b>	<b>Description</b>	<b>Amount Paid</b>
Harvey Sender	Receiver	\$535,048.36
Allen Vellone Wolf Helfrich & Factor P.C.	Counsel for the Receiver	\$1,812,058.54
RubinBrown LLP	Accountants (forensic accounting, expert witness, and tax preparation)	\$890,298.86
Waldrep LLP	North Carolina local counsel for the Receiver	\$10,611.85
Frost Brown Todd, LLC	Ohio local counsel for the Receiver	\$71,190.56
Revesco Property Services	Property manager (commercial and residential)	\$325,355.32
Kelly Reinhart	Accountant (former GDA accountant; tax preparation)	\$41,200.00
<b>Total Professional Fees and Expenses</b>		<b>\$3,685,763.48</b>

20. The Receiver is submitting his Seventh Fee application contemporaneously with this report and is seeking approval of the following fees and expenses from November 1, 2021, through August 31, 2022:

<b>PROFESSIONAL FEES AND EXPENSES INCURRED</b>			
<b>NOVEMBER 1, 2021 – AUGUST 31, 2022</b>			
<b>EX.</b>	<b>PROVIDER</b>	<b>DESCRIPTION</b>	<b>AMT. SOUGHT</b>
1	Harvey Sender	Receiver	\$5,880.00
	Allen & Vellone	Counsel for the Receiver	
2		Hourly Fees - Main Receivership Case	\$15,525.00
		Contingent Fee Insider Case	\$142,500.00
3		Costs	\$2,159.78
		Total	\$161,952.80
4	RubinBrown LLP		\$11,796.63
<b>Total</b>			<b>\$177,861.41</b>

## **VI. Conclusion**

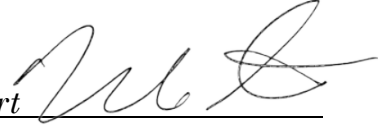
21. The Estate's sales activities are complete, and all property management services have been terminated. The Receiver will continue to pursue the claims against the remaining defendants in the Insider Case and its claims in the Clearwater bankruptcy cases and anticipates the Estate will remain open until those issues are resolved and does not plan on making distributions until that occurs.

22. The Receiver will file additional periodic reports as appropriate. Information and substantive filings concerning the Estate are publicly available on the Receivership website: <http://dragulreceivership.com>.

Dated: September 30, 2022.

**ALLEN VELLONE WOLF HELFRICH & FACTOR P.C.**

By: /s/ Michael T. Gilbert

A handwritten signature in black ink, appearing to read "Michael T. Gilbert", written over a horizontal line.

Patrick D. Vellone

Michael T. Gilbert

Averil K. Andrews

1600 Stout Street, Suite 1900

Denver, Colorado 80202

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[mgilbert@allen-vellone.com](mailto:mgilbert@allen-vellone.com)

[aandrews@allen-vellone.com](mailto:aandrews@allen-vellone.com)

**ATTORNEYS FOR THE RECEIVER**



## CERTIFICATE OF SERVICE

I hereby certify that on September 30, 2022, a true and correct copy of the foregoing **Receiver's Seventh Report** was filed and served via the Colorado Courts E-Filing system on all counsel of record and to the following:

Robert W. Finke  
Janna K. Fischer  
Ralph L. Carr Judicial Building  
1300 Broadway, 8th Floor  
Denver, Colorado 80203  
Robert.Finke@coag.gov  
Janna.Fischer@coag.gov

***Tung Chan, Securities  
Commissioner for the State of  
Colorado***

Paul L. Vorndran  
Christopher S. Mills  
Jones Keller, P.C.  
1999 Broadway Street  
Suite 3150  
Denver, CO 80202  
pvorndran@joneskeller.com  
pmills@joneskeller.com

***Counsel for Gary Dragul***

## CERTIFICATION OF E-SERVICE ON KNOWN CREDITORS

In accordance with this Court's February 1, 2019, Order clarifying notice procedures for this case, I also certify that a copy of the foregoing is being served by electronic mail on all currently known creditors of the Receivership Estate to the addresses set forth on the service list maintained in the Receiver's records.

By: /s/ Yvonne M. Davis

Allen Vellone Wolf Helfrich & Factor P.C.

*Yvonne M. Davis*

**FORM 1  
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT  
ASSET CASES**

Case No: 2018CV33011 000 Judge: BLANK - NO JUDGE  
Case Name: GARY DRAGUL; GDA REAL ESTATE SERVICES, LLC

Trustee Name: HARVEY SENDER, RECEIVER  
Date Filed (f) or Converted (c): 08/15/2018 (f)  
341(a) Meeting Date:

For Period Ending: 09/23/2022

Claims Bar Date: **DATE FILED: September 30, 2022 2:59 PM**  
**FILING ID: 6F7FD02946140**  
**CASE NUMBER: 2018CV33011**

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Est Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Formally Abandoned OA=554(a)	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1. 7373 East Fremont 15, LLC \$1125	0.00	0.00		0.00	0.00
2. 3142 South Leyden 14, LLC VACANT	0.00	0.00		0.00	0.00
3. 5722 South Lansing 14, LLC VACANT	0.00	0.00		0.00	0.00
4. 5788 South Landsing 17, LLC \$2450	0.00	0.00		0.00	0.00
5. 3675 South Hibiscus 15, LLC \$2650	0.00	0.00		0.00	0.00
6. 3555 South Holly 15, LLC VACANT	0.00	0.00		0.00	0.00
7. 6316 East Fair 16, LLC \$2475	0.00	0.00		0.00	0.00
8. 8342 East Briarwood 16, LLC \$2400	0.00	0.00		0.00	0.00
9. 2195 South Bellaire 16, LLC \$1795	0.00	0.00		0.00	0.00
10. 2175 South Bellaire 16, LLC \$1600	0.00	0.00		0.00	0.00
11. 2196 South Ash 16, LLC \$1550	0.00	0.00		0.00	0.00
12. 2166 South Ash 17, LLC \$1800	0.00	0.00		0.00	0.00
13. 2176 South Ash 16, LLC \$1750	0.00	0.00		0.00	0.00
14. 2186 South Ash 16, LLC \$1500	0.00	0.00		0.00	0.00
15. 7517 East Davies 17, LLC \$2080	0.00	0.00		0.00	0.00
16. 3593 South Hudson 16, LLC \$2400	0.00	0.00		0.00	0.00
17. 11188 Campsie Fells LV 16, LLC \$2700	0.00	0.00		0.00	0.00
18. HC Shoppes 18, LLC	0.00	0.00		0.00	0.00
19. Happy Canyon Box 18A LLC	0.00	0.00		0.00	0.00
20. Cassinelli Square 16 A, LLC	0.00	0.00		0.00	0.00
21. GDA REAL ESTATE MGMT	0.00	0.00		0.00	0.00
22. 2124 Jadeleaf LV 17 LLC	0.00	0.00		0.00	0.00
23. 3040 South Garfield 17, LLC	0.00	0.00		0.00	0.00
24. 2989 South Steele 15 LLC	0.00	0.00		0.00	0.00

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25. Summit 06 A, LLC	0.00	0.00		0.00	0.00
26. PHTS Commercial Owners Association Inc.	0.00	0.00		0.00	0.00
27. HC Shoppes LLC	0.00	0.00		0.00	0.00
28. Happy Canyon Center 00, LLC	0.00	0.00		0.00	0.00
29. JP Morgan Chase Bank, N.A. - Funds in various accounts	0.00	0.00		0.00	0.00
30. 7842 E Briarwood 16 LLC \$2400	0.00	0.00		0.00	0.00
31. Dillon Companies Common Area	0.00	0.00		0.00	0.00
32. CHASE - CLOSED VARIOUS ACCOUNT BALANCES	0.00	0.00		0.00	0.00
33. Delta 17 A, LLC	0.00	0.00		0.00	0.00
34. Hickory Corners Box 16 B, LLC	0.00	0.00		0.00	0.00
35. WIRES IN	0.00	0.00		0.00	0.00
36. REIMBURSEMENT FROM OVERPMT ON LEASE	0.00	0.00		0.00	0.00
37. 7104 South Syracuse 16 LLC	0.00	0.00		0.00	0.00
38. GDA VILLAGE CROSSROADS, LLC	0.00	0.00		0.00	0.00
39. Rose, LLC	0.00	0.00		0.00	0.00
40. Fort Collins WF 02, LLC	0.00	0.00		0.00	0.00
41. Happy Canyon Box 17B, LLC	0.00	0.00		0.00	0.00
42. SERENITY INVESTMENTS LLC	0.00	0.00		0.00	0.00
43. 1777 LARIMER 17 LLC	0.00	0.00		0.00	0.00
44. REALI CAPITAL, LLC	0.00	0.00		0.00	0.00
45. CREDITS FOR OVERPAYMENTS	0.00	0.00		0.00	0.00
46. PHTS Commercial Owners Association Inc.	0.00	0.00		0.00	0.00
47. Clearwater Center 15 LLC	0.00	0.00		0.00	0.00
48. AFF II DENVER LLC	0.00	0.00		0.00	0.00

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49. FURNITURE/FIXTURES/ART	0.00	0.00		0.00	0.00
50. WINDSOR 15 LLC (u)	0.00	0.00		0.00	0.00
51. PS 16, LLC	0.00	0.00		0.00	0.00
52. viLLAGE INN PAD	0.00	0.00		0.00	0.00
53. Down Money on Houses	0.00	0.00		0.00	0.00
54. OLD TOWN SOUTH CONDO ASSN	0.00	0.00		0.00	0.00
55. 16 Bellaire St., LLC	0.00	0.00		0.00	0.00
56. SSC 02, LLC	0.00	0.00		0.00	0.00
57. MOUNTAIN STATE LBM	0.00	0.00		0.00	0.00
58. Holy Cross Energy 2018 Member Equity Allocation Refund (u)	0.00	0.00		0.00	0.00
59. REVESCO PROPERTY SERVICES LLC	0.00	0.00		0.00	0.00
60. REFUND/OVERPAYMENTS (u)	0.00	0.00		0.00	0.00
61. 1002 SCOTTSDALE EAST 6TH 17TH LLC	0.00	0.00		0.00	0.00
62. GABRIEL BROTHERS, INC. TENANT IMPROVEMENT FUNDS	0.00	0.00		0.00	FA
63. CIRCUIT CITY - CLAIMS DISTRIBUTION (u)	0.00	0.00		0.00	0.00
64. CHECKS FOUND IN BOXES FROM SUSAN'S HOUSE (u)	0.00	0.00		0.00	0.00
65. AV PAD 17 LLC (u)	0.00	0.00		0.00	0.00
66. 4450 Timber Falls Court, Unit 1702, Vail, CO 81657-4872 PROCEEDS FROM SALE OF PROPERTY (u)	0.00	Unknown		0.00	Unknown
67. 41 SOUTH FAIRWAY, LLC (u)	0.00	0.00		0.00	FA
68. 1005 SCOTTSDALE EAST 6TH 17TH, LLC (u)	0.00	0.00		0.00	0.00
69. 1004 SCOTTSDALE EAST 6TH 17, LLC (u)	0.00	0.00		0.00	0.00
70. TREASURE ISLAND V ROSE SETTLEMENT (u)	0.00	350,000.00		0.00	FA
71. Mc Liquor 02 LLC Incredible Liqour Store (u)	0.00	2,881.11		0.00	FA

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72. SALE PROCEEDS - HICKORY CLOSING, RALEIGH, NC	0.00	588,440.67		0.00	FA
73. 3593 South Hudson 17, LLC (u)	0.00	0.00		0.00	0.00
74. BUFFALO WILD WINGS (u)	0.00	0.00		0.00	0.00
75. LITIGATION SETTLEMENTS (u)	0.00	0.00		0.00	0.00
76. 31 SOUTH FAIRWAY 17, LLC WATER ESCROW REFUND (u)	0.00	280.95		0.00	280.95
77. 41 SOUTH FAIRWAY, LLC RECORDING REFUND (u)	Unknown	57.00		0.00	57.00
78. 10 QUIVIRA - DISTRIBUTIONS (u)	0.00	Unknown		0.00	Unknown
79. BLACKHAWK PROPERTY (u)	0.00	18,377.83		0.00	FA
80. CHASE BANK SETTLEMENT (u)	0.00	0.00		0.00	0.00
81. BANK OF AMERICA SETTLEMENT (u)	0.00	40,000.00		0.00	40,000.00
82. VARIOUS SPORTS MEMORABILIA - NET PROCEEDS (u)	0.00	11,361.80		0.00	FA
83. PROCEEDS FROM SALE OF 2016 LAND ROVER AND HONDA RUBICON ATV (u)	0.00	9,803.60		0.00	FA
84. Pr INVESTMENTS (u)	0.00	64,800.00		0.00	64,800.00
85. C/B LAW, LLC PAYMENT OF ATTY FEES PER COURT ORDER (u)	0.00	1,995.50		0.00	1,995.50
86. JUNIPER SETTLEMENT (u)	0.00	10,000.00		0.00	FA
87. AUDREY M. AHRENDT SETTLEMENT (u)	0.00	25,000.00		0.00	FA
88. ACF PROPERTY MANAGEMENT SETTLEMENT (u)	0.00	650,000.00		0.00	FA
89. CHARLI DRAGUL, ET. AL. SETTLEMENT (u)	0.00	125,000.00		0.00	125,000.00
90. Brownstein Hyatt Farber Schreck (u)	0.00	250,000.00		0.00	FA
91. GARY DRAGUL JUDGMENT SETTLEMENT (u)	0.00	120,000.00		4,291.67	115,708.33
92. KAHN SETTLEMENT	0.00	375,000.00		0.00	FA

Gross Value of Remaining Assets

TOTALS (Excluding Unknown Values)

\$0.00

\$2,642,998.46

\$4,291.67

\$347,841.78

(Total Dollar Amount in Column 6)

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Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

Initial Projected Date of Final Report (TFR):

Current Projected Date of Final Report (TFR):

Trustee Signature:

/s/ HARVEY SENDER, RECEIVER

Date: 09/23/2022

HARVEY SENDER, RECEIVER  
600 17th Street,  
Suite 2800 South,  
Denver, CO 80202  
(303) 454-0540  
hsender@sendersmile.com

**FORM 2  
ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Case No: 2018CV33011  
Case Name: GARY DRAGUL; GDA REAL ESTATE SERVICES, LLC

Trustee Name: HARVEY SENDER, RECEIVER  
Bank Name: First National Bank - Vinita  
Account Number/CD#: XXXXXX0724  
Checking

Taxpayer ID No: XX-XXX6494  
For Period Ending: 09/23/2022

Blanket Bond (per case limit): \$0.00  
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account/CD Balance (\$)
			Balance Forward				\$0.00
		No Transactions					\$0.00

COLUMN TOTALS	\$0.00	\$0.00
Less: Bank Transfers/CD's	\$0.00	\$0.00
Subtotal	\$0.00	\$0.00
Less: Payments to Debtors	\$0.00	\$0.00
Net	\$0.00	\$0.00

**FORM 2  
ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Case No: 2018CV33011  
Case Name: GARY DRAGUL; GDA REAL ESTATE SERVICES, LLC

Trustee Name: HARVEY SENDER, RECEIVER  
Bank Name: First National Bank - Vinita  
Account Number/CD#: XXXXXX0889  
PHTS Sub Account

Taxpayer ID No: XX-XXX6494  
For Period Ending: 09/23/2022

Blanket Bond (per case limit): \$0.00  
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account/CD Balance (\$)
			Balance Forward				\$0.00
		No Transactions					\$0.00

COLUMN TOTALS	\$0.00	\$0.00
Less: Bank Transfers/CD's	\$0.00	\$0.00
Subtotal	\$0.00	\$0.00
Less: Payments to Debtors	\$0.00	\$0.00
Net	\$0.00	\$0.00



**FORM 2  
ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Case No: 2018CV33011  
Case Name: GARY DRAGUL; GDA REAL ESTATE SERVICES, LLC

Trustee Name: HARVEY SENDER, RECEIVER  
Bank Name: First National Bank - Vinita  
Account Number/CD#: XXXXXX1043  
Earnest Money Account

Taxpayer ID No: XX-XXX6494  
For Period Ending: 09/23/2022

Blanket Bond (per case limit): \$0.00  
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account/CD Balance (\$)
			Balance Forward				\$0.00
		No Transactions					\$0.00

COLUMN TOTALS	\$0.00	\$0.00
Less: Bank Transfers/CD's	\$0.00	\$0.00
Subtotal	\$0.00	\$0.00
Less: Payments to Debtors	\$0.00	\$0.00
Net	\$0.00	\$0.00

**FORM 2  
ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Case No: 2018CV33011  
Case Name: GARY DRAGUL; GDA REAL ESTATE SERVICES, LLC

Trustee Name: HARVEY SENDER, RECEIVER  
Bank Name: Axos Bank  
Account Number/CD#: XXXXXX0023  
Checking

Taxpayer ID No: XX-XXX6494  
For Period Ending: 09/23/2022

Blanket Bond (per case limit): \$0.00  
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account/CD Balance (\$)
			Balance Forward				\$1,634,860.71
08/31/22	91	JONES & KELLER PC	Wire In GARY DRAGUL SEPTEMBER 2022 SETTLEMENT PAYMENT	1249 -00	\$4,291.67		\$1,639,152.38

COLUMN TOTALS	\$4,291.67	\$0.00
Less: Bank Transfers/CD's	\$0.00	\$0.00
Subtotal	\$4,291.67	\$0.00
Less: Payments to Debtors	\$0.00	\$0.00
Net	\$4,291.67	\$0.00

**FORM 2  
ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Case No: 2018CV33011  
Case Name: GARY DRAGUL; GDA REAL ESTATE SERVICES, LLC

Trustee Name: HARVEY SENDER, RECEIVER  
Bank Name: Axos Bank  
Account Number/CD#: XXXXXX0031  
PHTS Sub Account

Taxpayer ID No: XX-XXX6494  
For Period Ending: 09/23/2022

Blanket Bond (per case limit): \$0.00  
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account/CD Balance (\$)
			Balance Forward				\$9,608.32
		No Transactions					\$9,608.32

COLUMN TOTALS	\$0.00	\$0.00
Less: Bank Transfers/CD's	\$0.00	\$0.00
Subtotal	\$0.00	\$0.00
Less: Payments to Debtors	\$0.00	\$0.00
Net	\$0.00	\$0.00

**FORM 2  
ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Case No: 2018CV33011  
Case Name: GARY DRAGUL; GDA REAL ESTATE SERVICES, LLC

Trustee Name: HARVEY SENDER, RECEIVER  
Bank Name: Axos Bank  
Account Number/CD#: XXXXXX0973  
Hickory Escrow Account

Taxpayer ID No: XX-XXX6494  
For Period Ending: 09/23/2022

Blanket Bond (per case limit): \$0.00  
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account/CD Balance (\$)
			Balance Forward				\$0.00
		No Transactions					\$0.00

COLUMN TOTALS	\$0.00	\$0.00
Less: Bank Transfers/CD's	\$0.00	\$0.00
Subtotal	\$0.00	\$0.00
Less: Payments to Debtors	\$0.00	\$0.00
Net	\$0.00	\$0.00

TOTAL OF ALL ACCOUNTS

	NET DEPOSITS	NET DISBURSEMENTS	ACCOUNT BALANCE
XXXXXX0023 - Checking	\$2,223,389.70	\$2,532,293.64	\$1,639,152.38
XXXXXX0031 - PHTS Sub Account	\$0.00	\$0.00	\$9,608.32
XXXXXX0724 - Checking	\$5,328,764.38	\$4,718,326.80	\$0.00
XXXXXX0889 - PHTS Sub Account	\$35,697.00	\$28,384.88	\$0.00
XXXXXX0973 - Hickory Escrow Account	\$0.00	\$0.00	\$0.00
XXXXXX1043 - Earnest Money Account	\$200,000.00	\$0.00	\$0.00
	<hr style="border-top: 1px dashed black;"/>	<hr style="border-top: 1px dashed black;"/>	<hr style="border-top: 1px dashed black;"/>
	\$7,787,851.08	\$7,279,005.32	\$1,648,760.70
	<hr style="border-top: 3px double black;"/>	<hr style="border-top: 3px double black;"/>	<hr style="border-top: 3px double black;"/>
	(Excludes account transfers)	(Excludes payments to debtors)	Total Funds on Hand
Total Allocation Receipts:	\$0.00		
Total Net Deposits:	\$7,787,851.08		
Total Gross Receipts:	\$7,787,851.08		

Trustee Signature:

/s/ HARVEY SENDER, RECEIVER Date: 09/23/2022

HARVEY SENDER, RECEIVER  
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