

<b>DISTRICT COURT, DENVER COUNTY</b> <b>STATE OF COLORADO</b> 1437 Bannock St. Denver, CO 80202 (720) 865-8612	DATE FILED: May 3, 2024 3:41 PM FILING ID: 15B7F2984C443 CASE NUMBER: 2018CV33011
<b>Plaintiff:</b> Tung Chan, Securities Commissioner for the State of Colorado  v.  <b>Defendants:</b> Gary Dragul, GDA Real Estate Services, LLC, and GDA Real Estate Management, LLC	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
<i>Attorney for Investor/Creditor/Claimant Chad Hurst</i> Christopher S. Mills, Atty. Reg. No. 42042 Jones & Keller, P.C. 1675 Broadway, 26 <sup>th</sup> Floor Denver, CO 80202 Phone: 303-573-1600 Email: <a href="mailto:cmills@joneskeller.com">cmills@joneskeller.com</a>	Case No. 2018CV33011  Courtroom: 424
<b>CHAD HURST'S <u>UNOPPOSED</u> MOTION FOR ELECTRONIC DOCKET ACCESS AND FILING NOTIFICATIONS</b>	

Investor/Creditor/Claimant Chad Hurst, through counsel, Jones & Keller, P.C., hereby moves for the Court to direct the Court Clerk to provide Mr. Hurst (more accurately, his counsel) electronic access to the docket in this matter, and to provide future filing notifications, and in support thereof, states as follows:

**C.R.C.P. 121 § 1-15(8) CERTIFICATION**

Undersigned counsel for Mr. Hurst conferred with counsel for Plaintiff, the Commissioner, and counsel for the Receiver, regarding this Motion. Both stated that they do not oppose the relief requested herein.

1. Mr. Hurst is an investor/creditor and claimant of the Receivership Estate established in this action.

2. On April 8, 2024, undersigned counsel entered an appearance in this action on behalf of Mr. Hurst. That same day, Mr. Hurst also filed a motion for extension of time to file an objection to the Receiver's proposed settlement with the Clearwater Bankruptcy Estates. The Court granted that motion for extension, and Mr. Hurst filed his objection on April 16<sup>th</sup>.

3. Earlier this week, undersigned counsel realized he had not received any filing notifications related to this case. He attempted to log into the docket via the Colorado Court's E-Filing system (CCE). He discovered that he did not have access to the docket and then purchased temporary access.

4. It was only upon purchasing temporary access that undersigned counsel learned of the Court's April 26, 2024 Order on the Receiver's settlement motion, which set the matter for a hearing.

5. Undersigned counsel then called the Court's E-Filing Clerk and was informed that because he represents an investor/creditor/claimant but *not* a named party in this action, he may file into the case, but does not have access to the docket and will not receive notifications when new pleadings are filed or orders entered. To receive docket access and notifications, the E-Filing Clerk directed undersigned counsel to seek relief from the Court.

6. Thus, Mr. Hurst, through undersigned counsel, seeks for the Court to direct that the Court Clerk provide him electronic access to the docket in this matter, and that he receive electronic filing notifications, like a named party would normally have.

7. Good cause exists to grant the requested relief. As an investor/creditor/claimant, Mr. Hurst has an interest in the administration of the Receivership Estate in this matter, and is authorized to, for example, object to proposed settlements pursuant to the order appointing the Receiver. Having filed an objection, Mr. Hurst reasonably anticipates he may be expected to respond to some pleading, appear at a hearing (as evidenced by the Court's April 26 Order), or otherwise comply with a deadline set by the Court. Without receiving filing notifications and having docket access, undersigned counsel is concerned that he may not timely learn of obligations imposed on him.

8. No party will be prejudiced by the relief requested. Indeed, neither the Commissioner nor the Receiver oppose this Motion.

9. A proposed order is attached.

WHEREFORE, Mr. Hurst respectfully requests that he be provided normal party-level electronic access to the docket in this matter, and that he receive electronic filing notifications as a named party normally would receive.

DATED this 3rd day of May, 2024.

**JONES & KELLER, P.C.**

/s/ Christopher S. Mills

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*ATTORNEY FOR*

*INVESTOR/CREDITOR/CLAIMANT CHAD*

*HURST*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing **CHAD HURST'S UNOPPOSED MOTION FOR ELECTRONIC DOCKET ACCESS AND FILING NOTIFICATIONS** was filed and served via the CCE e-file system on this 3rd day of May, 2024 to all counsel of record for the parties to the action, including the following:

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