

DISTRICT COURT, DENVER COUNTY STATE OF COLORADO 1437 Bannock St. Denver, CO 80202 (720) 865-8612	DATE FILED January 17, 2025 12:55 PM FILING ID: 85F12B83578D6 CASE NUMBER: 2018CV33011
Plaintiff: Tung Chan, Securities Commissioner for the State of Colorado v. Defendants: 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 th Floor Denver, CO 80202 Phone: 303-573-1600 Email: cmills@joneskeller.com	Case No. 2018CV33011 Courtroom: 424
CHAD HURST’S <u>UNOPPOSED</u> MOTION TO APPEAR VIRTUALLY AT JANUARY 31, 2025 HEARING	

Investor/Creditor/Claimant Chad Hurst, through counsel, Jones & Keller, P.C., hereby moves for leave to appear and testify virtually at the January 31, 2025 hearing on the Receiver’s Motion to Approve Settlement Agreement with Clearwater Bankruptcy Estates, 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. Neither the Commissioner nor the Receiver oppose this Motion.

1. A hearing on the Receiver's Motion to Approve Settlement Agreement with Clearwater Bankruptcy Estates, which sought for the Court to approve a settlement agreement ("Settlement Agreement") the Receiver had reached with the Liquidating Trustee of bankruptcy estates for two entities, is currently set for January 31, 2025.

2. The Settlement Agreement cannot become effective unless both this Court and the Bankruptcy Court approve it.

3. Mr. Hurst remains optimistic that the Bankruptcy Court will deny the Trustee's motion to approve the Settlement Agreement, which would then obviate the need for the January 31, 2025 hearing before this Court.

4. If the January 31, 2025 hearing occurs as scheduled, however, Mr. Hurst seeks leave to appear and testify at it virtually via videoconference, rather than in person.

5. Good cause exists to permit Mr. Hurst to appear virtually because he lives in Pennsylvania. Additionally, the birth of his first grandchild is expected at about the same time, and Mr. Hurst would like to remain close to home to minimize the chances of missing it and to assist his family as needed.

6. Undersigned counsel intends to appear at the hearing in person, and understands that other parties plan to appear in person as well, which would mean the hearing would be hybrid.

7. No party would be prejudiced if Mr. Hurst testified virtually. Indeed, neither the Commissioner nor Receiver opposes this Motion. Undersigned counsel can provide Mr. Hurst any exhibits he may need for his testimony ahead of time to minimize any inefficiencies.

8. A proposed order is attached.

WHEREFORE, Mr. Hurst respectfully requests that the Court grant him leave to testify at the January 31, 2025 hearing virtually via videoconference.

DATED this 17th day of January, 2025.

JONES & KELLER, P.C.

/s/ Christopher S. Mills
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*ATTORNEY FOR
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HURST*

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **CHAD HURST'S UNOPPOSED MOTION TO APPEAR VIRTUALLY AT JANUARY 31, 2025 HEARING** was filed and served via the CCE e-file system on this 17th day of January, 2025 to all counsel of record for the parties to the action, including the following:

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