

DISTRICT COURT, DENVER COUNTY, COLORADO		
Court Address: 1437 BANNOCK STREET, RM 256, DENVER, CO, 80202		
<b>Plaintiff(s)</b> DAVID S CHEVAL ACTING SECURITIES COMMISS et al. v. <b>Defendant(s)</b> MARK RAY et al.		<b>DATE FILED:</b> April 12, 2021 2:02 PM <b>CASE NUMBER:</b> 2019CV33770
		<b>△ COURT USE ONLY △</b>
		Case Number: 2019CV33770 Division: 209                  Courtroom:
<b>Order re: NOTICE OF RELATED CASE</b>		

The motion/proposed order attached hereto: REVIEWED.

Issue Date: 4/12/2021



ALEX C MYERS  
District Court Judge

DISTRICT COURT, DENVER COUNTY, STATE OF COLORADO Denver District Court 1437 Bannock St. Denver, CO 80202	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
<p><b>Plaintiff:</b> TUNG CHAN, Securities Commissioner for the State of Colorado</p> <p>v.</p> <p><b>Defendants:</b> MARK RAY; REVA STACHNIW; CUSTOM CONSULTING &amp; PRODUCT SERVICES, LLC; RM FARM &amp; LIVESTOCK, LLC; MR CATTLE PRODUCTION SERVICES, LLC; SUNSHINE ENTERPRISES; UNIVERSAL HERBS, LLC; DBC LIMITED, LLC</p>	
<p><i>Attorneys for Court-appointed Receiver Gary Schwartz:</i>          John A. Chanin, #20749          Katherine A. Roush, #39267          FOSTER GRAHAM MILSTEIN &amp; CALISHER, LLP          360 South Garfield Street, Suite 600          Denver, Colorado 80209          Phone: (303) 333-9810          Fax: (303) 333-9786          Email: <a href="mailto:jchanin@fostergraham.com">jchanin@fostergraham.com</a>;  <a href="mailto:kroush@fostergraham.com">kroush@fostergraham.com</a></p>	<p>Case Number: 19CV33770</p> <p>Division/Courtroom: 209</p>
<b>NOTICE OF RELATED CASE</b>	

**Case Number of Related Case:** 2021CV031124 – Schwartz, Gary v. Throgmartin, Ronald

**Judge Assigned to Related Case:** Previously Andrew Patrick McCallin, but pursuant to Judge McCallin’s 4/8/2021 *sua sponte* recusal order, this case is currently unassigned.

**Type of Action of Related Case:** Fraudulent transfer.

**Status of Related Case:** The complaint was filed on April 6, 2021. The Receiver was appointed in this case on September 30, 2019.

**State Reasons the Case is Related and Should be Assigned to the Same Judge:** In the newly filed case, the Receiver is attempting to recover assets for the benefit of the Receivership and is asserting claims for fraudulent transfers specifically authorized by the Receivership Court's September 30, 2019 and November 4, 2019 Orders Authorizing the Receiver. The Receivership Court is intimately familiar with the background and facts concerning the underlying Receivership action and is charged with overseeing the administration of the Receivership and the collection of assets.

**Attorney Representing Parties in Related Case:**

John A. Chanin, #20749  
Katherine A. Roush, #39267  
FOSTER GRAHAM MILSTEIN & CALISHER, LLP  
360 South Garfield Street, Suite 600  
*Attorneys for Plaintiff*

DATED this 8<sup>th</sup> day of April 2021.

FOSTER GRAHAM MILSTEIN  
& CALISHER, LLP

By: /s/ John A. Chanin  
John A. Chanin, #20749  
Katherine A. Roush, #39267

ATTORNEYS FOR PLAINTIFFS

**CERTIFICATE OF SERVICE**

I hereby certify that on April 8th, 2021, I served a true and correct copy of the foregoing **NOTICE OF RELATED CASE** via CCE to the following:

/s/ Lucas Wiggins  
Lucas Wiggins

Attachment to Order - 2019CV33770