

<p>District Court, Pitkin County, Colorado 506 E. Main St., Aspen, Colorado 81611 Tel: (970) 925-7635 Fax: (970) 925-6349</p> <hr/> <p>Plaintiff: DOWNTOWN ASPEN INVESTMENTS, LLC, a Colorado limited liability company</p> <p>v.</p> <p>Defendants: ASPEN LEGACY HOLDINGS, LLC, a Colorado limited liability company</p> <p>v.</p> <p>Intervenors: TIGRAN INVESTMENTS, LLC, a Colorado limited liability company, 517 EAST HYMANY HOLDINGS, LLC, a Colorado limited liability company, and 521 EAST HYMAN HOLDINGS, LLC, a Colorado limited liability company</p>	<p style="text-align: center;">^COURT USE ONLY^</p>
	<p>Case Number: 2010 CV 118 Division: 3</p>
<p>ORDER ON UNCONTESTED MOTION FOR RECEIVER TO ASSUME BROKERAGE LISTING AGREEMENT</p>	

Plaintiff, Intervenors and David S. Cohen, the Receiver, were present at a hearing held at 9:00 a.m. on Monday, September 13, 2010, in Courtroom C of the Garfield County Courthouse, for the purpose of discussing the Stipulation previously filed in this matter. R. Mark Wyman of The Fleisher Company, by and through his attorney, E. Michael Hoffman (Attorney Registration No. 21885) of Garfield & Hecht, P.C., appeared and participated in the hearing by consent of Plaintiff, Intervenors, the Receiver and the Court. Mr. Hoffman moved the Court (the "Motion") for an Order requiring the Receiver, David S. Cohen, to assume that certain Exclusive Right-To-Sell Listing Agreement by and between The Fleisher Company, as Broker, and Defendant Aspen Legacy Holdings, LLC, as Seller, dated September 1, 2009 (the "Listing Agreement"), a copy of which is

attached hereto as Exhibit A. A copy of the Amend/ Extend Contract with Broker is attached hereto as Exhibit B. The parties, who were both present in the courtroom and represented by counsel, and Mr. Cohen, who was also physically present, had no objections to the Motion.

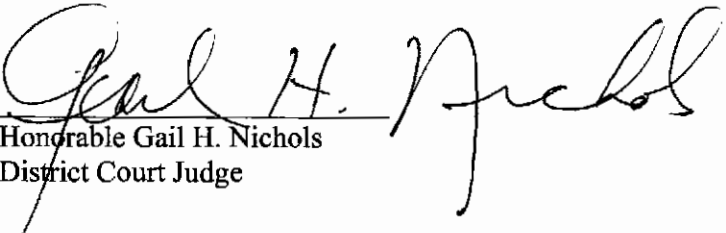
The Court, having considered the Motion and the fact that none of Plaintiff, Intervenor or the Receiver had any objection to the Motion, and being otherwise fully apprised of the facts and circumstances of this matter

ORDERS that the Receiver shall, as of the date and time the Receiver is authorized to act as Receiver in this matter, be bound by the Listing Agreement and shall have all rights and privileges of the "Seller" established in the Listing Agreement;

and, it is further ORDERED, that until such time as Defendant Aspen Legacy Holdings, LLC, is again vested by the Court with control of the real property which is the subject of this action, Defendant Aspen Legacy Holdings, LLC shall have no power or authority as "Seller" under the Listing Agreement.

DONE AND ORDERED this 16th day of September, 2010, *nunc pro tunc* September 13, 2010.

BY THE COURT:


Honorable Gail H. Nichols
District Court Judge