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RECEIVED
BEFORE THE ARIZONA CORPORATION COMMISSION

JIM IRVIN
Commissioner-Chairman
RENZ D. JENNINGS
Commissioner
CARL J. KUNASEK
Commissioner

Oct 27 4 26 PM '98

DOCUMENT CONTROL

IN THE MATTER OF:

FOREX INVESTMENT SERVICES
CORPORATION
2700 North Central Avenue, Suite 1110
Phoenix, Arizona 85004

et al.,

Respondents.

DOCKET NO. S-3177-I

RESPONDENTS' NOTICE OF FILING

Respondents file this Notice of Filing with regard to the attached affidavit.

DATED this 27th day of October, 1998.

ROSHKA HEYMAN & DEWULF, PLC

Arizona Corporation Commission
DOCKETED

OCT 27 1998

DOCKETED BY *sd*

By

Paul J. Roshka, Jr.
Alan S. Baskin
Two Arizona Center
4 00 North 5th Street, Suite 1000
Phoenix, Arizona 85004
Attorneys for Respondents

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1 ORIGINAL and ten copies of the
2 foregoing hand-delivered
3 this 27th day of October, 1998 to:

4 Docket Control
5 Arizona Corporation Commission
6 1200 West Washington Street
7 Phoenix, Arizona 85007

8 COPY of the foregoing hand-delivered
9 this 27th day of October, 1998 to:

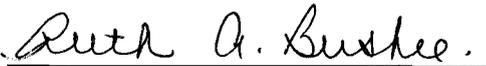
10 Mark C. Knops
11 Senior Counsel
12 Securities Division
13 Arizona Corporation Commission
14 1300 West Washington, 3rd Floor
15 Phoenix, Arizona 85007

16 Hearing Officer
17 Hearing Division
18 Arizona Corporation Commission
19 1200 West Washington
20 Phoenix, Arizona 85007

21 Robert A. Zumoff
22 Office of the Attorney General
23 1275 West Washington
24 Phoenix, Arizona 85007

25 COPY of the foregoing mailed
26 this 27th day of October, 1998 to:

27 Chris R. Youtz
Sirianni & Youtz
3410 Columbia Center
710 Fifth Avenue
Seattle, Washington 98104-7032
Counsel for Respondents


roshka/tokyo/pl notice of filing.doc

1 SUBSCRIBED AND SWORN to me before this 27th day of October, 1998.

2
3 Alison Kruchek
Notary Public

4 My Commission Expires:

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6 baskin/tokyo/affvbushee.doc



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ATTACHMENT A

AFFIDAVIT OF SERVICE OF PROCESS BY PRIVATE PERSON

H&C FILE NUMBER:

502157/9120

ARIZONA CORPORATION COMMISSION COURT
COUNTY, STATE OF ARIZONA
S 3177-I CAUSE NO.

State Bar No.:

IN THE MATTER OF FOREX INVESTMENT SERVICES CORPORATION
vs.

STATE OF ARIZONA ss.
County of Maricopa

The undersigned, being sworn, states: That I am a registered private process server in the county of MARICOPA. and an Officer of the Court.

On 07/01/98, I received the Administrative Subpoena Duces Tecum, Letter from ROSHKA HEYMAN & DEWULF, PLC, A. Baskin TOKYO.ACC and in each instance I personally served a copy of each document listed above on those named below in the manner and at the time and place shown, that all services, except where noted were made within Maricopa County, Arizona.

Upon MR. WILLIS SCOTT personally, on 07/03/98 at 7:55pm at 885 W. Warner, Gilbert, Az. . Witness & Mileage Fee Tendered \$19.00

Subscribed and sworn to before me

07/06/98 /S/JOSEPH W LIDDY, AC

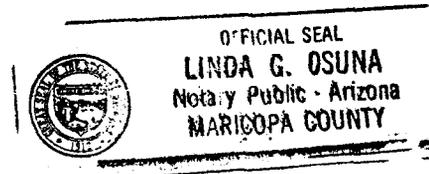
Joseph W. Liddy

Affiant

My commission expires: 03/22/99

Linda G. Osuna
/S/ Linda G. Osuna
Notary Public

\$ 10.00 Service Of Proc
\$ 45.00 Mileage
\$ 42.00 Mileage
\$ 45.00 Mileage
\$ 19.00 Witness/Mileage
\$ 1.90 H&C Service Cha
\$ 5.00 Affidavit/Notar
\$ 167.90 TOTAL



HAWKINS & CAMPBELL INCORPORATED
800 NORTH 4TH STREET
PHOENIX, ARIZONA 85004
TELEPHONE: (602) 452-1800

ROSHKA HEYMAN & DEWULF

ROSHKA HEYMAN & DEWULF, PLC
ATTORNEYS AT LAW
TWO ARIZONA CENTER
400 NORTH 5TH STREET
SUITE 1000
PHOENIX, ARIZONA 85004
TELEPHONE NO 602-256-6100
FACSIMILE 602-256-6800

July 1, 1998

Mr. Willis Scott
1090 E. Flint Street
Chandler, AZ 85225

Re: Docket No. S-3177-I
Forex Investment Services Corporation

Dear Mr. Scott:

On June 26, 1998, we learned that the Securities Division of the Arizona Corporation Commission ("Securities Division") intends on calling you as a witness at a hearing related to your Eastern Vanguard Forex, Ltd. ("EVFL") account. It is also our understanding that the Securities Division may seek to recover restitution on your behalf at the hearing.

Paragraph 16 of your "Customer's Agreement," however, contains an arbitration clause. This letter constitutes our demand that you submit any dispute regarding this matter to arbitration. In light of our invocation of the arbitration clause, we do not believe the Arizona Corporation Commission has authority to order restitution on your behalf. Further, although we are also serving a Subpoena Duces Tecum along with this letter, we are by no means waiving our rights to enforce the arbitration clause. Rather, we are protecting our clients' rights in the event you testify at the hearing.

Sincerely,

Alan S. Baskin /RB

Alan S. Baskin
For the Firm

ASB:rab
Encl.

cc: Chris R. Youtz, Esq.

baskin/tokyo/scott1.doc

RECEIVED
BEFORE THE ARIZONA CORPORATION COMMISSION

JIM IRVIN
Commissioner-Chairman
RENZ D. JENNINGS
Commissioner
CARL J. KUNASEK
Commissioner

JUL 2 10 12 AM '98

DOCKET NO. S-3177-I

IN THE MATTER OF:

FOREX INVESTMENT SERVICES
CORPORATION
2700 North Central Avenue, Suite 1110
Phoenix, Arizona 85004

et al.,

Respondents.

DOCKET NO. S-3177-I

ADMINISTRATIVE SUBPOENA DUCES
TECUM

TO: Willis Scott
1090 East Flint Street
Chandler, Arizona 85225

Pursuant to A.A.C. R14-3-109(O), it is ordered that you produce the documents listed on attached Exhibit "A."

DATE AND TIME OF PRODUCTION: Tuesday, July 7, 1998 at 9:00 a.m.

PLACE OF PRODUCTION: Roshka Heyman & DeWulf
400 North 5th Street, Suite 1000
Phoenix, Arizona 85004

YOU ARE COMMANDED to produce the documents listed on attached Exhibit "A."

YOU HAVE BEEN SUBPOENAED BY: Respondents Forex Investment Services, et al.
c/o Paul J. Roshka, Jr., Esq.
Alan S. Baskin, Esq.
Roshka Heyman & DeWulf
400 North 5th Street, Suite 1000
Phoenix, Arizona 85004

Disobedience of this subpoena duces tecum constitutes contempt of the Arizona Corporation Commission and is so punishable, pursuant to A.R.S. §§ 40-424.

1 Given under the hand and seal of the Arizona Corporation Commission this 1st day of
2 July, 1998.



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Jack Rose
Jack Rose, Executive Secretary

EXHIBIT "A"

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2 1. All documents (including, but not limited to, correspondence, memoranda, calendars,
3 daytimers, desk diaries, logs, appointment books, telephone records, telephone message or telephone
4 logs) reflecting or referring in any way to communication (whether such communications occurred via
5 face-to-face meetings or via telephone and/or written correspondence) in connection with your account
6 with Eastern Vanguard Forex Ltd. (hereinafter "EVFL"). These documents include:

- 7 (a) correspondence received by you from EVFL, James Simmons, Michael Cho and/or
8 any other agent, employee, independent contractor and/or officer of EVFL;
9
10 (b) correspondence sent by you to EVFL, James Simmons, Michael Cho and/or any
11 other agent, employee, independent contractor and/or officer of EVFL;
12
13 (c) all notes taken by you of any conversations with James Simmons, Michael Cho
14 and/or any other agent, employee, independent contractor and/or officer of EVFL;
15
16 (d) all documents referring, reflecting or relating to any oral or written representations
17 made by EVFL, James Simmons, Michael Cho and/or any other agent, employee,
18 independent contractor and/or officer of EVFL to you;
19
20 (e) all documents referring, reflecting or relating to any oral or written representations
21 made by anyone to you concerning your EVFL account;
22
23 (f) all documents which you, or anyone acting on your behalf, received from EVFL,
24 James Simmons, Michael Cho and/or any other agent, employee, independent
25 contractor and/or officer of EVFL concerning your EVFL account;
26
27 (g) all documents which you, or anyone acting on your behalf, sent or gave to James
Simmons, Michael Cho and/or any other agent, employee, independent contractor
and/or officer of EVFL concerning your EVFL account.

1 2. All documents that show, refer, reflect or relate to your net worth from January 1, 1992 to
2 the present.

3 3. All of your federal and state income tax returns, filed either separately or jointly, for the
4 years 1992, 1993, 1994, 1995, 1996 and 1997, including any attachments, W-2s, schedules and exhibits
5 to those returns.

6 4. All documents which reflect, refer to or relate to any contacts or communications between
7 you, or anyone acting on your behalf, with any accounting firm or certified public accounting firm from
8 January 1, 1996 to the present concerning your EVFL account.

9 5. All monthly statements, confirmations, client agreements, customer agreements, margin
10 agreements and other documents between you, or anyone acting on your behalf, and any brokerage firm
11 or investment banking house with whom you have opened or maintained an account from January 1,
12 1992 to the present.

13 6. All monthly statements, confirmations, client agreements, customer agreements, margin
14 agreements and other documents relating to any brokerage account in which you had any ownership
15 interest, from January 1, 1992 to the present.

16 7. All documents which reflect, refer to or relate to any contacts or communications between
17 you, or anyone acting on your behalf, with any investment adviser or investment counselor from
18 January 1, 1992 to the present.

19 8. All correspondence between you, or anyone acting on your behalf, and any securities
20 firm(s) or brokerage firm(s) and/or their representatives at which you maintained an account.

21 9. All documents that reflect, refer to or relate to any litigation in which you have been a party
22 in the last ten years including, but not limited to, pleadings filed against you, pleadings filed on your
23 behalf, affidavits filed by you, interrogatory answers filed by you and depositions given by you.
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1 10. All investment advisory letters, brochures, prospectuses, news letters, recommendations,
2 research reports or other such documents received by you, or anyone acting on your behalf, from any
3 brokerage firm, investment banker, investment advisory service or financial analyst from January 1,
4 1992 to the present.

5 11. All documents pertaining to any company in which you have been an investor within the
6 last seven years including, but not limited to, investor questionnaires, financial statements and
7 prospectuses.

8 12. All documents pertaining to any partnership in which you have been a partner, whether a
9 general partner or a limited partner, within the last seven years including, but not limited to, partnership
10 agreements, purchaser representations, questionnaires, suitability statements or representations, financial
11 statements and prospectuses.

12 13. All notes of, or taken during, or in connection with, any meeting or conversation between
13 you and any investment adviser, stockbroker, investment banker, or accountant from January 1, 1992 to
14 the present.

15 14. All loan applications completed by you from January 1, 1992 to the present.

16 15. All documents which reflect your subscriptions to any news service, other financial or
17 investment news service, business periodicals, magazines and any other publications regarding
18 investments.

19 16. All canceled checks and other evidence of funds you paid to EVFL.

20 17. All EVFL account statements.

21 18. All documents and/or correspondence you received from EVFL, James Simmons, Michael
22 Cho and/or any other agent, employee, independent contractor and/or officer of EVFL prior to the
23 opening of your EVFL account.
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1 19. All documents and/or correspondence you received from EVFL, James Simmons, Michael
2 Cho and/or any other agent, employee, independent contractor and/or officer of EVFL after you opened
3 your EVFL account.

4 20. All documents and/or correspondence you have received from the Securities Division of
5 the Arizona Corporation Commission.

6 21. All notes of any meetings and/or telephone conversations you have had with any
7 employees and/or agents and/or staff from the Securities Division of the Arizona Corporation
8 Commission.
9

10 22. All audiotapes of any conversations you have had with from EVFL, James Simmons,
11 Michael Cho and/or any other agent, employee, independent contractor and/or officer of EVFL.
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14 pl subpoena willis scott.doc
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