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HEARING 6/12/00

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Arizona Corporation Commission

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Arizona Corporation Commission Members:

- Carl J Kunasek, Chairman
- Jim Ervin, Commissioner
- William A. Mundell, Commissioner.

I HEREBY APPEAL THE ORDER OF THE HEARING BOARD APPROVED BY THE CORPORATION COMMISSIONERS ON APRIL 25, 2000 ON THE GROUNDS THAT IT IS CONTRARY TO, INCONSISTENT WITH AND NOT SUPPORTED BY THE WEIGHT OF THE EVIDENCE SUBMITTED TO AND AVAILABLE TO THE HEARING BOARD. DOCKET NOS: S-03312A-99-0000 AND S.-03375A-99-0000

On April 25, 0000, two of the Arizona Corporation Commission Members signed off on a recommendation of Anthony Bingham and Ms Jane L. Rodda that I be required to make restitution of over \$1,292,929 out of the \$4,200,879 Dollars that John and Carol Ebdon had received on a scam that they had conceived and executed over a number of years.

This recommendation was made despite ample evidence to show:

1. That I was not a part of Ebdon's criminal conspiracy.
2. That I have not received any money out of this ill conceived venture.
3. That all monies that investors put into this venture was received by John and Carol Ebdon by most of the investors paying them directly and not going thru me.
4. That restitution is usually made by parties who are unjustly enriched by their conduct.
5. Instead of being enriched by the Ebdon's conduct, I was actually impoverished by their actions.
6. That the hearing board ignored the fact that I had invested over \$30,000.00 in Ebdon's venture.
7. That had I known at the time that they were involved in a scam that I would not have invested any of my money or any of my time in this ill conceived venture.
8. That the hearing officers summary of facts was slanted to make it appear that I was the recipient of the aforesaid \$1,292,929 when the said hearing officer and Anthony Bingham knew very well that this was contrary to the facts of the case.
9. That the governments counsel (Anthony Bingham and the hearing officer (Jane L. Rodda) acted in concert and in lockstep to alter the facts and hide the truth in order to arrive at their desired result and accordingly attempted to mislead the Arizona Corporation Commission members.
10. That by their conduct the hearing officer and government counsel withdrew from the cloak of impartiality and become Partisans in their attempt to arrive at their desired conclusions. The hearing officer and government counsel consulted frequently in off the record sessions that occurred during recesses. Government counsel made the comment during argument "that I should be responsible for everyone that I had introduced to John Ebdon". It is this warped and illogical thinking that gives rise to illogical decisions, such as "individuals not a party to a criminal conspiracy are responsible for criminal's actions. Every con artist in the country must be cheering.
11. That the board by their conduct treated me as a principal of this Criminal Conspiracy, when in fact I was not a part of said criminal conspiracy having been duped by the Ebdon's into helping them in their efforts to fleece the investors and myself and Dan Kattke when they had an intention from the outset of just getting all of the money that they could and not paying anyone.
12. That said recommendation is contrary to law and the facts of the case, is unjust and a violation of my civil rights.

13. Why weren't the Ebdon's who received the \$1,292,929, ordered to pay back this money instead of Charles J. Shull? Did Ebdon influence or pay off the hearing officer?

14. That if this gross injustice is not corrected, I may file a \$10,000,000.00 civil suit against the hearing officer and Anthony Bingham and/or complain to other parties wherein they can explain their unjust recommendation which is not based upon the facts of the case or on the law applicable thereto.

14. The hearing officer, Jane Rodda and Anthony Bingham should not take part in any appeal of this matter inasmuch as they have already demonstrated their bias and prejudice.

I strongly contest the conclusion that my conduct constitutes the sale of securities. I never informed anyone that had securities for sale, nor did I execute any notes. The whole scheme was cooked up by John Ebdon and Carol Ebdon, apparently with the approval of Daniel Garcia.

That by virtue of the fact that I was a victim and not a principal in this so called scam and did not share in the proceeds it is only fitting and proper that the fines and penalties against me be eliminated.

The applicable facts of the case are as follows:

Sometime in 1995 or before, John and his daughter Carol Ebdon Garcia and Daniel Garcia entered into a criminal conspiracy to get money from unsuspecting investors by telling them that Daniel Garcia had a judgment against the State of Arizona in excess of \$40,000,000 for medical malpractice. That they were about to collect this money but that Grant Woods the Arizona Attorney General was opposed to the payoff of said money and was fighting their attempt to collect said money by putting legal roadblocks in their attempt to collect what they were legally entitled to. That they needed some financial assistance to enable them to collect what was rightly theirs and that they would be generous with anyone who would help them to get the money.

Ebdon showed copies of a document purportedly made by Daniel Garcia reflecting that he, Garcia had agreed to pay John Ebdon in excess of \$2,100,000 million dollars for his help in securing the money. Kattke was shown other purported legal documents to give the impression that the case was in fact real. They claimed that Attorney Richard Steiner was Garcia's Lawyer. In a telephone conversation with Dan Kattke, Kattke claimed that Steiner had informed him that the case was just about over and that the payout of the money would be made in short order.

In 1995, having arranged several private real estate loans for John Ebdon, I helped Kattke make \$10,000 secured loan to Ebdon's brother and sister in law. Said loan was well secured. I advised Kattke not to loan any more money unless he was given collateral and it was well secured.

During the next year, without my knowledge, Ebdon had persuaded Kattke to loan him approximately \$200,000 by giving him personal notes and making promises of a great return and a short time for payoff. Ebdon had also enlisted Kattke into securing approximately \$200,000 from his friends from South Dakota.

After draining Kattke and his friends of their money, Kattke and Ebdon approached me with the story that they were about to get a big payoff from this bogus judgment that Garcia had and that they just needed help with a few thousand dollars to complete the case which should conclude in approximately two weeks. They couldn't show me a copy of the Judgment because of a gag order imposed by the Arizona Courts.

Being a friend of Kattke and having known Ebdon for over 10 years and having arranged a number of large Real Estate loans for him on property which was valued in excess of \$1,000,000 I did not suspect that he would be engaged in any wrongdoing. Little did I know that this case would never be concluded because Ebdon would continually tell lies about the status of the case and the continually need more money as a result of the roadblocks thrown up by Grant Woods in an attempt to block any payoff.

I informed some of my friends about the case and informed them of Ebdon's wiliness to pay huge returns for any investment that they made. Most of them liked the idea and were glad to participate in the venture and consulted personally with Ebdon about the matter.

It wasn't until July 1999 after being frustrated with trying to conclude the case and learning that Ebdon and Garcia's houses had been raided and searched by the police in an attempt to locate the money that had been taken from some of the investors, that it finally dawned on me that Ebdon had been lying about the whole thing and that I had been duped into giving him approximately \$30,000 of my personal funds that I realized that I and all of the investors had been conned by Ebdon and that the Notes that he was given to people who invested in his venture were probably worthless and that no one would be paid unless some of the money that Ebdon had secured from investors could be located.

I am not sure where the money is located, but I am sure that Ebdon's claim that he gave it to Garcia is just another lie and a cover-up designed to mislead the investors and everyone else.

Most of the people who invested in this venture transferred their money directly to John Ebdon or his daughter, Carol Ebdon. Any money that was sent to me for this venture was immediately transferred to John or Carol Ebdon for payment of urgent expenses or costs. I did not keep any of the money for myself. I had been conned by my supposed friend, John Ebdon.

Knowing the fact that Ebdon had received all of the investor funds, the hearing officer has recommended that I be responsible for any funds that Ebdon received from any investor that I may have introduced to him. This is contrary to the usual procedure that the person who does wrong and receives money from someone based upon false pretenses should be responsible for any restitution.

All investors who invested in Ebdon's scam and proposal did so after they met John Ebdon and listened to his proposals. They were in continuous consultation with Ebdon during the course of their investments.

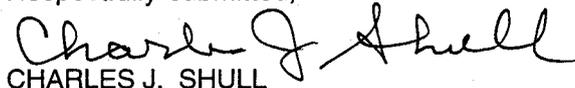
I am a major victim in Ebdon's investment scam because I invested approximately \$30,000 of my own money as a result of listening to Dan Kattke's requests for help in finishing the case that he and his friends had already invested approximately \$400,000 of their money into and listening to Ebdon's repeated requests for money. I didn't realize that Ebdon's had been lying about the whole thing until later because of 10 years of helping him with real estate loans that proved to be satisfactory.

I was wrongly charged in this matter from the outset. The people who drew up the complaint in this case put me in the same category as Ebdon. Such is not the case. Once the complaint was drawn the moving parties attempted to justify their original conclusions instead of retreating from their unfounded ideas. The facts do not support their conclusions.

I vehemently protest the hearing officer's recommendation and order that I pay back money acquired by the Ebdons as a result of criminal conduct, when I was not a part of such criminal conduct and the hearing officer well knew this fact. This action of the hearing officer, constitutes misconduct on her part.

Dated this 22nd day of May 2000.

Respectfully submitted,


CHARLES J. SHULL

Enclosure: Affidavit of Tom Wilkison.

AFFIDAVIT

STATE of ARIZONA)
)ss.
COUNTY of PIMA)

I, Thomas T. Wilkison, resident of Pima County, Arizona, after being duly sworn, depose and state as follows:

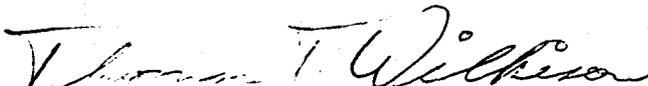
That I have known Charles J. Shull for over twelve years and have been involved in a number of business transactions with him. I have found him to be honest and a man of his word in all of these dealings.

That I was introduced to John Ebdon by Charles J. Shull in the hopes that I could help Ebdon and his family secure funds from the judgment against the State of Arizona, what is now disclosed as a fictitious judgment. I was told the entire story by John Ebdon about the judgment and how the State of Arizona was withholding payment of the judgment due to numerous excuses that were manufactured by John Ebdon.

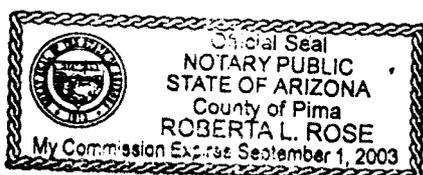
I was appalled to learn that the Arizona Corporation Commission had approved an order requiring Charles J. Shull to pay back over \$1,200,000 to investors. All of this money was received by John Ebdon and to my knowledge, Charles J. Shull was never compensated one penny. At the hearing in February, I heard other people testify that they also loaned John Ebdon money and had friends of theirs join them. As an example, Mr. Tom Hoskins personally invested \$5,000 of his own money in the scam and secured an additional \$395,000 from his friends and gave this money to Ebdon. Hard for me to figure why Mr. Hoskins was not required by the Arizona Corporation Commission to repay the \$395,000 as Mr. Shull was...

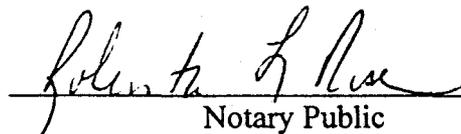
That even though I learned about John Ebdon's deal from Charles Shull, I never considered his conduct to constitute the sale of securities. It was a personal loan to John Ebdon. I am appalled to continue to learn that John Ebdon, Carol Ebdon, & Danny Garcia have not been arrested by some authority. A hand slapping from the Arizona Corporation Commission is not my idea of justice. John Ebdon received millions from many people and of this date, not the Arizona Corporation Commission, the Sierra Vista Police Department, the Arizona Attorney General's Office, or the Internal Revenue Service has found a dime. Now, John Ebdon claims he is bankrupt... Give me a break!!

Further affiant sayeth not.


Thomas T. Wilkison

Subscribed and sworn to before me this 18th day of May, 2000.




Notary Public