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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

2007 MAY 16 P 4: 23

MIKE GLEASON, Chairman  
WILLIAM A. MUNDELL  
JEFF HATCH-MILLER  
KRISTIN K. MAYES  
GARY PIERCE

AZ CORP COMMISSION  
DOCKET CONTROL

In the matter of:

Docket No. S-20482A-06-0631

EDWARD A. PURVIS and MAUREEN H. PURVIS, husband and wife  
2131 W. Shannon  
Chandler, Arizona 85224

GREGG L. WOLFE and ALLISON A. WOLFE, husband and wife  
2092 W. Dublin Lane  
Chandler, Arizona 85224

**MOTION TO STRIKE RESPONDENT EDWARD PURVIS' DEMAND FOR VERIFIED ACCOUNTING AND FIRM OFFER TO SETTLE AND CLOSE**

(Administrative Law Judge Marc Stern)

NAKAMI CHI GROUP MINISTRIES INTERNATIONAL, (a/k/a NCGMI), a Nevada corporation sole  
4400 N. Scottsdale Road, Suite 9-231  
Scottsdale, Arizona 85251

JAMES W. KEATON, Jr. and JENNIFER KEATON, husband and wife  
11398 E. Whitehorn Drive, Apt. D  
Scottsdale, Arizona 85255

Arizona Corporation Commission  
**DOCKETED**

**MAY 16 2007**

ACI HOLDINGS, INC., a Nevada corporation  
17650 N. 25<sup>th</sup> Avenue  
Phoenix, Arizona 85023

DOCKETED BY nr

Respondents.

In response to the Demand for Verified Accounting and Firm offer to Settle and Close filed by Respondent Edward Purvis, Plaintiff, the Arizona Corporation Commission (the "Commission"), through its counsel, Rachel F. Strachan, submits this Motion to Strike, pursuant to Rule 12(f) of the Arizona Rules of Civil Procedure and states as follows:

1 MEMORANDUM OF POINTS AND AUTHORITIES

2 I. FACTUAL BACKGROUND

3 1. On December 8, 2006, the Commission received a Demand for Verified Accounting  
4 and Firm Offer to Settle and Close ("*Demand*") signed by Respondent Edward Anthony Purvis  
5 ("Respondent Purvis").

6 2. The *Demand* requested a "full accounting...including all charges and bonds...drawn  
7 on" Purvis and "an invoice for full settlement and closure" of the docket number assigned *In the*  
8 *matter of Edward A. Purvis, et al* which is currently before the Commission.

9 3. An Affidavit of Mailing was included which stated that a copy of the *Demand* had  
10 been sent to Mark Dinell, Julie Coleman, Robert Eckert, Clyde J. Hanselman, Brian C. McNeil and  
11 Matthew J. Neubert. All of the listed individuals are employees of the Commission.

12 4. A second attachment to the *Demand* was a Notice of Appointment of Fiduciary  
13 Debtor ("Notice of Appointment") which appointed Julie Coleman, Assistant Chief Counsel of  
14 Enforcement of the Commission's Securities Division, the "fiduciary debtor" on behalf of Purvis. In  
15 addition, a third attachment, an IRS Form 56 entitled Notice Concerning Fiduciary Relationship  
16 ("IRS Form 56") was also attached to the *Demand*. The IRS Form 56 lists Commission employee,  
17 Julie Coleman, as Respondent Purvis' fiduciary.

18 II. LEGAL ANALYSIS

19 First, the Respondent Purvis' *Demand* requests the Commission to provide him with a "full  
20 accounting", "full settlement", closure of the administrative matter currently pending before the  
21 Commission, and production of a taxpayer identification number. Secondly, Respondent Purvis  
22 appoints Commission employee, Julie Coleman, as "fiduciary debtor".

23 Pursuant to Rule 12(f) of the Arizona Rules of Civil Procedure, a court may "order stricken  
24 from a pleading any...immaterial [or] impertinent...matter. Rule 12(f) Ariz. R.Civ.Pro. The  
25 requests made in Respondent Purvis' *Demand* are "immaterial and impertinent" to the case currently  
26 pending before the Commission.

1           The only issue before the Commission is whether the Respondent has violated the Arizona  
2 Securities Act (the "Act"). However Respondent Purvis' *Demand* does not address the Act or offer a  
3 defense for violation of the Act. The Commission is not obligated to settle or close his matter, or  
4 provide taxpayer identification numbers merely at the request of a Respondent so Respondent Purvis'  
5 requests are without merit. In addition, the pleading should be stricken for appointing Assistant Chief  
6 Counsel of Enforcement for the Commission's Securities Division, Julie Coleman, as Respondent  
7 Purvis' fiduciary debtor, without her knowledge or consent. As a result, the *Demand* should be  
8 stricken.

9           Respondent Purvis' requests in his *Demand* are unimportant and irrelevant to the  
10 administrative matter currently pending before the Commission. Furthermore, the pleading fails to  
11 raise any justifiable defense or claim, unreasonably expands and delays the proceedings, and is  
12 primarily for delay and harassment. Therefore, Respondent Purvis should be sanctioned pursuant to  
13 A.R.S. § 12-349, and assess reasonable attorney fees for the time expended on responding to his  
14 motion.

15 III. CONCLUSION

16 WHEREFORE, THE COMMISSION RESPECTUFLY REQUESTS THE FOLLOWING:

- 17 A. Strike Respondent Purvis' *Demand* filed December 8, 2006 pursuant to Ariz. R. Civ.  
18 P. 12(f);
- 19 B. Deny Respondent Purvis's appointment of Commission Assistant Chief Counsel of  
20 Enforcement, Julie Coleman, as his fiduciary debtor;
- 21 C. Deny Respondent Purvis' *Demand* in its entirety;
- 22 D. Assess reasonable attorney fees and costs against Respondent Purvis pursuant to  
23 A.R.S. § 12-349 for filing the *Demand*;
- 24 E. Such other and further relief as the court deems equitable or just.

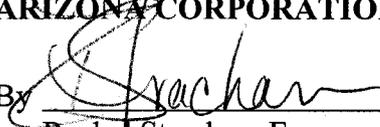
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Dated this 16<sup>th</sup> day of May, 2007.

**ARIZONA CORPORATION COMMISSION**

By   
Rachel Strachan, Esq.  
1300 West Washington Street, 3<sup>rd</sup> Floor  
Phoenix, Arizona 85007  
For the Arizona Corporation Commission,  
Securities Division

Original filed and a copy of the foregoing  
Hand delivered this 16<sup>th</sup> day of May 2007 to:

Docket Control  
Arizona Corporation Commission  
1200 West Washington  
Phoenix, AZ 85007

COPY of the foregoing hand-delivered this  
16<sup>th</sup> day of May, 2007 to:

Mr. Marc Stern  
Hearing Officer  
Arizona Corporation Commission/Hearing Division  
1200 West Washington  
Phoenix, AZ 85007

COPY of the foregoing mailed this  
16<sup>th</sup> day of May, 2007 to:

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By: 