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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

MIKE GLEASON, Chairman AZ CORP COMMISSION
WILLIAM A. MUNDELL DOCKET CONTROL
JEFF HATCH-MILLER
KRISTIN K. MAYES
GARY PIERCE

In the matter of:

EDWARD A. PURVIS and MAUREEN H. PURVIS, husband and wife
1231 W. Shannon
Chandler, Arizona 85224

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

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

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

Respondents.

Docket No. S-20482A-06-0631

APPLICATION FOR
ISSUANCE OF
SUBPOENA DUCES TECUM TO
AMERICAN CHURCH TRUST
COMPANY

Arizona Corporation Commission

DOCKETED

AUG 13 2007

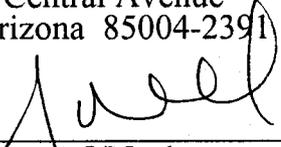
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Respondents, Edward A. Purvis and Maureen H. Purvis, pursuant to R14-3-109 (O) of the Arizona Administrative Code, Corporation Commission - Rules of Practice and Procedure and Rule 45(a), Arizona Rules of Civil Procedure, hereby submit this Application to the Commission for the Issuance of a Subpoena Duces Tecum in the form attached hereto as Exhibit A, commanding: *American Church Trust Company, P.O. Box*

1 **690089, Houston, Texas 77269-0089**, to produce documents as described therein.

2 RESPECTFULLY SUBMITTED this 13th day of August, 2007.

3 QUARLES & BRADY LLP
4 Renaissance One
5 Two North Central Avenue
6 Phoenix, Arizona 85004-2391

7 By 
8 John Maston O'Neal
9 Zachary Cain

10 Attorneys for Respondents
11 Edward A. Purvis and Maureen H. Purvis

12 **ORIGINAL and 13 COPIES**
13 filed by hand delivery this 13th
14 day of August, 2007, with:

15 Docket Control, Arizona Corporation Commission
16 1200 West Washington
17 Phoenix, Arizona 85007

18 **COPY** of the foregoing mailed
19 this 13th day of August, 2007 to:

20 Rachel Strachan, Securities Division
21 1300 West Washington Street
22 3rd Floor
23 Phoenix, Arizona 85007

24 Gregg L. Wolfe and Allison A. Wolfe
25 2092 West Dublin Lane
26 Chandler, Arizona 85224

James W. Keaton, Jr. and Jennifer Keaton
11398 East Whitehorn Drive
Apt. D
Scottsdale, Arizona 85255

NAKAMI CHI GROUP MINISTRIES
INTERNATIONAL, (a/k/a NCGMI)
4400 North Scottsdale Road
Suite 9-231
Scottsdale, Arizona 85251

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1 ACI HOLDINGS, INC.
2 17650 North 25th Avenue
3 Phoenix, Arizona 85023

4 Mary Wilson

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EXHIBIT A

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 **COMMISSIONERS**

3 MIKE GLEASON, Chairman
4 WILLIAM A. MUNDELL
5 JEFF HATCH-MILLER
6 KRISTIN K. MAYES
7 GARY PIERCE

8 In the matter of:

9 EDWARD A. PURVIS and MAUREEN H.
10 PURVIS, husband and wife
11 1231 W. Shannon
12 Chandler, Arizona 85224

13 GREGG L. WOLFE and ALLISON A.
14 WOLFE, husband and wife
15 2092 W. Dublin Lane
16 Chandler, Arizona 85224

17 NAKAMI CHI GROUP MINISTRIES
18 INTERNATIONAL, (a/k/a NCGMI), a
19 Nevada corporation sole
20 4400 N. Scottsdale Road, Suite 9-231
21 Scottsdale, Arizona 85251

22 JAMES W. KEATON, Jr. and JENNIFER
23 KEATON, husband and wife
24 11398 E. Whitehorn Drive, Apt. D
25 Scottsdale, Arizona 85255

26 ACI HOLDINGS, INC., a Nevada corporation
17650 N. 25th Avenue
Phoenix, Arizona 85023

Respondents.

Docket No. S-20482A-06-0631

**SUBPOENA DUCES TECUM
TO
AMERICAN CHURCH
TRUST COMPANY**

22 THE STATE OF ARIZONA TO:

AMERICAN CHURCH TRUST COMPANY
P.O. Box 690089
Houston, Texas 77269-0089

23
24 YOU ARE COMMANDED to produce documents described in Exhibit "A"
25 attached hereto and by this reference incorporated herein in the above-entitled matter now
26 pending before the Arizona Corporation Commission at the time and place specified

1 below:

2 DATE AND TIME: Friday August 31, 2007
3 By 5:00 p.m.

4 PLACE: Quarles & Brady LLP
5 Renaissance One
6 Two North Central Avenue
7 Phoenix, Arizona 85004-2391
8 (602) 229-5200

8 In the event this subpoena is for appearance before the Court, please contact the
9 division of this Court stated above to determine if the trial or hearing time has been
10 changed. A.R.S. §§ 22-217, 12-2211; A.R.C.P. 45(a), 53(e).

10 Requests for reasonable accommodation for persons with disabilities must be made
11 to the division assigned to the case by parties at least three judicial days in advance of a
12 scheduled court proceeding.

11 You have been subpoenaed by Plaintiff, whose attorneys' names, addresses and
12 telephone numbers are:

13 John Maston O'Neal, Esq.
14 Zachary Cain, Esq.
15 Quarles & Brady LLP
16 Two North Central Avenue
17 Phoenix, Arizona 85004
18 602-229-5200

17 YOU ARE HEREBY NOTIFIED THAT ANY FAILURE TO OBEY THIS
18 SUBPOENA WITHOUT ADEQUATE EXCUSE MAY BE DEEMED A CONTEMPT
19 OF THIS COURT, AND A CIVIL ARREST WARRANT MAY BE ISSUED. A CIVIL
20 ARREST IS AN ORDER DIRECTING ANY POLICE OFFICER IN ARIZONA TO
21 ARREST YOU AND BRING YOU BEFORE THIS COURT FOR FURTHER
22 PROCEEDINGS.

21 **Your Duties In Responding To This Subpoena**

22 You have the duty to produce the documents requested as they are kept by you in
23 the usual course of business, or you may organize the documents and label them to
24 correspond with the categories set forth in this subpoena. See Rule 45(d)(1) of the
25 Arizona Rules of Civil Procedure.

24 If this subpoena asks you to produce and permit inspection and copying of
25 designated books, papers, documents, tangible things, or the inspection of premises, you
26 need not appear to produce the items unless the subpoena states that you must appear for a
deposition, hearing or trial. See Rule 45(c)(2)(A) of the Arizona Rules of Civil
Procedure.

1 **Your Right to Object**

2 The party or attorney serving the subpoena has a duty to take reasonable steps to
3 avoid imposing an undue burden or expense on you. The Superior Court enforces this
4 duty and may impose sanctions upon the party or attorney serving the subpoena if this
5 duty is breached. See Rule 45(c)(1) of the Arizona Rules of Civil Procedure.

6 You may object to this subpoena if you feel that you should not be required to
7 respond to the request(s) made. Any objection to this subpoena must be made within 14
8 days after it is served upon you, or before the time specified for compliance, by providing
9 a written objection to the party or attorney serving the subpoena. See Rule 45(c)(2)(B) of
10 the Arizona Rules of Civil Procedure.

11 If you object because you claim the information requested is privileged or subject
12 to protection as trial preparation material, you must express the objection clearly, and
13 support each objection with a description of the nature of the document, communication
14 or item not produced so that the demanding party can contest the claim. See Rule
15 45(d)(2) of the Arizona Rules of Civil Procedure.

16 If you object to the subpoena in writing you do not need to comply with the
17 subpoena until a court orders you to do so. It will be up to the party or attorney serving
18 the subpoena to seek an order from the court to compel you to provide the documents or
19 inspection requested, after providing notice to you. See Rule 45(c)(2)(B) of the Arizona
20 Rules of Civil Procedure.

21 If you are not a party to the litigation, or an officer of a party, the court will issue
22 an order to protect you from any significant expense resulting from the inspection and
23 copying commanded. See Rule 45(c)(2)(B) of the Arizona Rules of Civil Procedure.

24 You may also file a motion in the superior court of the county in which the case is
25 pending to quash or modify the subpoena if the subpoena:

26 (i) does not provide a reasonable time for compliance;

(ii) requires a nonparty or officer of a party to travel to a county
different from the county where the person resides or does business in
person; or to travel to a county different from where the subpoena was
served; or to travel to a place farther than 40 miles from the place of
service; or to travel to a place different from any other convenient place
fixed by an order of a court, except that a subpoena for you to appear and
testify at trial can command you to travel from any place within the state;

(iii) requires the disclosure of privileged or protected information
and no waiver or exception applies; or

(iv) subjects you to an undue burden. See Rule 45(c)(3)(A) of the
Arizona Rules of Civil Procedure.

If this subpoena:

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(i) requires disclosure of a trade secret or other confidential research, development, or commercial trade information; or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party; or

(iii) requires a person who is not a party or an officer of a party to incur substantial travel expense;

The court may either quash or modify the subpoena, or the court may order you to appear or produce documents only upon specified conditions, if the party who served the subpoena shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assure that you will be reasonably compensated. See Rule 45(c)(3)(B) of the Arizona Rules of Civil Procedure.

A command to produce evidence or to permit inspection may be joined with a command to appear at trial or hearing or at deposition, or may be issued separately.

SIGNED AND SEALED THIS DATE: _____

ARIZONA CORPORATION COMMISSION

By _____

1 **General Instructions And Definitions**

2
3 1. This request includes all DOCUMENTS in the possession, custody, or
4 control of AMERICAN CHURCH TRUST COMPANY, or any PERSON or entity acting
5 in its interest or on its behalf, including its officers, directors, managers, members,
6 partners, attorneys, agents and representatives, regardless of the location of the
DOCUMENTS and including any draft or copy of such DOCUMENTS which differs in
any respect from the originals, whether because of handwritten notations or otherwise.

7 2. This request is continuing in nature so as to require AMERICAN CHURCH
8 TRUST COMPANY to produce all additional DOCUMENTS responsive to this request
9 that may hereafter come into the custody, possession or control of it or any PERSON or
entity acting on its behalf.

10 3. DOCUMENTS shall either be produced as they are kept in the ordinary
11 course of business or segregated and identified according to the number of the request to
12 which they are primarily responsive.

13 4. If a claim of privilege is asserted with respect to any DOCUMENT request
14 herein, the following information must be provided:

- 15 (a) the name of the author of the DOCUMENT;
- 16 (b) the names of all recipients of the DOCUMENT, including all parties
17 receiving undisclosed copies of the DOCUMENT;
- 18 (c) the date appearing on the DOCUMENT and, if different, the date the
19 DOCUMENT was created or prepared;
- 20 (d) the nature of the privilege or privileges claimed;
- 21 (e) the factual grounds supporting the privilege or the privileges
22 claimed; and
- 23 (f) the names of all PERSONS, whether recipients or not, having
24 knowledge of the factual basis upon which the privilege is asserted.
25
26

1 5. If, for any reason, any DOCUMENT responsive to this request has been
2 lost, misplaced, destroyed, or otherwise disposed of at any time, state the time, place,
3 manner, or reason for loss, misplacement, destruction or other disposition of such
4 DOCUMENT. In addition, provide a description of the information contained in the
5 DOCUMENT, including but not limited to, the author, addressee, other recipients, and
6 subject matter.

7 6. The term "DOCUMENT(S)" shall mean any writing or recording, including
8 but not limited to electronic mail, electronic documents, metadata, letters, words,
9 numbers, or their equivalent, set down by handwriting, typewriting, printing,
10 photocopying, photostating, photographing, magnetic impulse, mechanical or electronic
11 recording, or other form of data compilation; books; papers; letters; logs; journals; diaries;
12 records; minutes; notes; summaries of interviews or conversations; schedules; tabulations;
13 vouchers, accounts, invoices; statements; transcripts; affidavits, reports; abstracts;
14 agreements; contracts; calendars; drafts; drawings; sketches; labels; advertisements;
15 charts; graphs; computer input or output; statistics; studies; speeches; motion pictures;
16 slides; photographs; tapes; video tapes; audio tapes; tape recordings; video recordings;
17 voice recordings; and any transcript or recording of any conversation, oral statement or
18 presentation.

19 7. The term "PERSON" includes natural persons, agencies, departments,
20 corporations, partnerships, joint ventures, and all business associations.

21 8. The term "RELATED TO" includes but is not limited to: concerning,
22 mentioning, respecting, referring to, responding to, pertaining to, connected with,
23 comprising, commenting on, corroborating, discussing, showing, reflecting, describing,
24 evidencing, analyzing, and constituting.

25 9. The term "COMMUNICATION" means the transmittal of information (in
26 the form of facts, ideas, inquiries or otherwise), and includes, but is not limited to, any
formal or informal disclosure, contact, discussion or any other kind of written, oral or
electronic transfer or exchange of information, facts, ideas or opinions, between two or
more persons, however made. This term includes, but is not limited to, all telephone
conversations, face-to-face conversations, meetings, visits, conferences, internal and
external discussions, and documents (including without limitation, electronic mail).

 10. The term "CONCERNING" means anything directly or indirectly relating
to, referring to, alluding to, responding to, connected with, commenting on, in respect of,
about, regarding, discussing, showing, describing, mentioning, analyzing, studying,
reflecting, evidencing, containing or constituting, in whole or in part.

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11. The term "POSSESSION" includes documents that you have and documents that are within your care, custody, or control.

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EXHIBIT A
REQUESTED DOCUMENTS

1. Any and all documents and accounts of any kind held by American Church Trust Company in the name of:

- (1) ACI Holdings, Inc.
- (2) CSI Technologies
- (3) Carlson, Eric
- (4) Gregoire, Bernard
- (5) Gregoire, Eric
- (6) Gutzmer, Wally
- (7) NCGMI
- (8) Nakami Chi Group
- (9) Nethlein, Mewon
- (10) Pryt, Andrea
- (11) Purvis, Le Roy
- (12) Scrovic, Steve