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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

Arizona Corporation Commission

DOCKETED

AUG 13 2007

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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  
ARIZONA CAPITAL GROUP, INC.

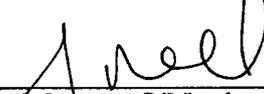
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DOCKET CONTROL

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: *Arizona Capital Group, Inc. 11333 North*

1 **Scottsdale Road, Suite 150, Scottsdale, Arizona 85254**, to produce documents as  
2 described therein.

3 RESPECTFULLY SUBMITTED this 13<sup>th</sup> day of August, 2007.

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

8 By   
9 John Maston O'Neal  
10 Zachary Cain

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

13 **ORIGINAL and 13 COPIES**  
14 filed by hand delivery this 13<sup>th</sup>  
15 day of August, 2007, with:

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

19 **COPY** of the foregoing mailed  
20 this 13<sup>th</sup> day of August, 2007 to:

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

25 Gregg L. Wolfe and Allison A. Wolfe  
26 2092 West Dublin Lane  
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**

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**BEFORE THE ARIZONA CORPORATION COMMISSION**

**COMMISSIONERS**

MIKE GLEASON, Chairman  
WILLIAM A. MUNDELL  
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  
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KEATON, husband and wife  
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ACI HOLDINGS, INC., a Nevada corporation  
17650 N. 25th Avenue  
Phoenix, Arizona 85023

Respondents.

Docket No. S-20482A-06-0631

**SUBPOENA DUCES TECUM  
TO  
ARIZONA CAPITAL GROUP, INC.**

THE STATE OF ARIZONA TO:

**ARIZONA CAPITAL GROUP, INC.**  
11333 North Scottsdale Road  
Suite 150  
Scottsdale, Arizona 85254

YOU ARE COMMANDED to produce documents described in Exhibit "A"  
attached hereto and by this reference incorporated herein in the above-entitled matter now



1 deposition, hearing or trial. See Rule 45(c)(2)(A) of the Arizona Rules of Civil  
2 Procedure.

### 3 **Your Right to Object**

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

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

13 If you object because you claim the information requested is privileged or subject  
14 to protection as trial preparation material, you must express the objection clearly, and  
15 support each objection with a description of the nature of the document, communication  
16 or item not produced so that the demanding party can contest the claim. See Rule  
17 45(d)(2) of the Arizona Rules of Civil Procedure.

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

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

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

(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.

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If this subpoena:

(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 ARIZONA CAPITAL GROUP, INC., or any PERSON or entity acting in its  
5 interest or on its behalf, including its officers, directors, managers, members, partners,  
6 attorneys, agents and representatives, regardless of the location of the DOCUMENTS and  
7 including any draft or copy of such DOCUMENTS which differs in any respect from the  
8 originals, whether because of handwritten notations or otherwise.

9 2. This request is continuing in nature so as to require ARIZONA CAPITAL  
10 GROUP, INC. to produce all additional DOCUMENTS responsive to this request that  
11 may hereafter come into the custody, possession or control of it or any PERSON or entity  
12 acting on its behalf.

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

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

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

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, photostatting, 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.

**EXHIBIT A****REQUESTED DOCUMENTS**

1  
2  
3 1. Any and all documents and accounts of any kind held by Arizona Capital  
4 Group, Inc. in the name of:

- 5 (1) ACI Holdings, Inc.  
6 (2) Andrew Trust  
7 (3) Andrew, William  
8 (4) Bell, Doug  
9 (5) BSSC  
10 (6) CSI Technologies  
11 (7) Capen, phillip  
12 (8) Capozza, Steve  
13 (9) Capstone Investments  
14 (10) Charlas, Jean  
15 (11) Chi, Nakami  
16 (12) Chmura, Mark  
17 (13) Conquest, Ron  
18 (14) Coppins, Burge  
19 (15) Fraynd, Darrell  
20 (16) Freidman, Mike  
21 (17) Frisch, Jeff  
22 (18) Goehner, Greg  
23 (19) Goroff, Marc  
24 (20) Gregg, Van  
25 (21) Gregg, Guy  
26 (22) Gregg, Terrence  
(23) Hall, Todd  
(24) Horan, Mike  
(25) Hubbard, Thomas  
(26) Hunter, Willard  
(27) Keaton, James Sr.  
(28) Keaton, Jim  
(29) Keaton, William  
(30) Law Investments  
(31) Luscombe Trust  
(32) Luscombe, Doug  
(33) Luscombe, William  
(34) Malone, Dennis

- 1 (35) Mayday Investments
- 2 (36) Miles, Sloane
- 3 (37) Montana, Janice
- 4 (38) NCGMI
- 5 (39) Palmer, Gene
- 6 (40) Palmer, Shauna
- 7 (41) Purvis, Ed
- 8 (42) Ragland, Robert
- 9 (43) Reader, Loren
- 10 (44) Reader, Scott
- 11 (45) Red Cloud
- 12 (46) Schroeder, Brian
- 13 (47) Scronic, Steve
- 14 (48) Singleton, Cynthia
- 15 (49) Tappan, Steve
- 16 (50) Wang, Curtis & Amy
- 17 (51) Williams, Vince & Jay
- 18 (52) Wolfe, Greg
- 19 (53) Young, Darren
- 20 (54) Zolecki Trust
- 21 (55) Zubow, Ed
- 22 (56) Zubow, Teryl & Joan
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