

ORIGINAL



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2 Firm State Bar No. 00443100
3 Renaissance One
4 Two North Central Avenue
5 Phoenix, AZ 85004-2391
6 TELEPHONE 602.229.5200

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2007 SEP 24 P 2:47

4 Attorneys for Respondents AGRA-
5 Technologies, Inc.; William Jay
6 and Sandra Lee Pierson; William
7 H. and Patricia M. Baker

AZ CORP COMMISSION
DOCKET CONTROL

8 Lonnie J. Williams, Jr. (#005966)
9 Carrie M. Francis (#020453)

BEFORE THE ARIZONA CORPORATION COMMISSION

10 In the matter of:

11 AGRA-TECHNOLOGIES, INC. (a/k/a ATI),
12 a Nevada corporation,
13 5800 North Dodge Avenue, Bldg. A
14 Flagstaff, AZ 86004-2963;

DOCKET NO. S-20484A-06-0669

15 WILLIAM JAY PIERSON (a/k/a BILL
16 PIERSON) and SANDRA LEE PIERSON
17 (a/k/a SANDY PIERSON), husband and wife,
18 6710 Lynx Lane
19 Flagstaff, AZ 86004-1404;

APPLICATION FOR ISSUANCE
OF SUBPOENA DUCES TECUM
TO INTERVENERS

20 RICHARD ALLEN CAMPBELL (a/k/a
21 DICK CAMPBELL) and SONDRRA JANE
22 CAMPBELL, husband and wife,
23 8686 West Morten Avenue
24 Glendale, AZ 85304-3940;

25 WILLIAM H. BAKER, JR. (a/k/a BILL
26 BAKER) and PATRICIA M. BAKER,
27 husband and wife,
28 3027 N. Alta Vista
Flagstaff AZ 86004

JERRY J. HODGES and JANE DOE
HODGES, husband and wife,
1858 Gunlock Court
St. George, UT 84790-6705;

Arizona Corporation Commission
DOCKETED

SEP 24 2007

LAWRENCE KEVIN PAILLE (a/k/a
LARRY PAILLE) and JANE DOE PAILLE,
husband and wife,
220 Pinon Woods Drive
Sedona, AZ 85351-6902;

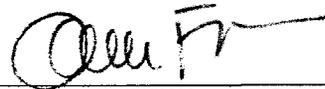
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Respondents.

1 Respondents AGRA-Technologies, Inc., William Jay Pierson and Sandra Lee
2 Pierson, and William H. Baker, Jr. and Patricia M. Baker (herein referred to collectively
3 as "Respondents"), pursuant to R14-3-109 (O) of the Arizona Administrative Code,
4 Corporation Commission - Rules of Practice and Procedure, hereby submit this
5 Application to the Commission of the Issuance of a Subpoena Duces Tecum in the form
6 attached hereto as Exhibit A, commanding: **Sperry Andrews, Hoffa Bogart, Colin Caie,**
7 **Bob DeYoung, Peggy DeYoung, Rhonda Faris-Holman, Patricia Kerschner, Nigel**
8 **Smith, James Sweet, Jeanie Stevenson, James Urquhart, Dave Vette, Janet Vette,**
9 **Mary Elizabeth Barnette, Judy Taylor Bates, Barry Beer, Cindy Beer, Barbara L.**
10 **Crosby, John Dixon, Nancy Duncan, Adrian Farnsworth, David Genet, Eric**
11 **Haggard, Daniel and/or Linda Holyk, Bernard and/or Alarya Jay, Danny Lemon,**
12 **Peter Mt. Shasta, David and/or Lynda Mulder, Gloria Reeder, Naanine Summer,**
13 **James and/or Elaine Taylor, c/o Michael W. Sillyman, Kutak Rock LLP, 8601 N.**
14 **Scottsdale Rd., Suite 300, Scottsdale, AZ 85253,** to produce documents as described
15 therein.

16 RESPECTFULLY SUBMITTED this 24 day of September, 2007.

17 QUARLES & BRADY LLP

18 By 
19 _____
20 Lonnie J. Williams, Jr.
21 Carrie M. Francis

22
23 ORIGINAL and THIRTEEN COPIES
24 of the foregoing hand-delivered this
25 24 day of September, 2007, to:

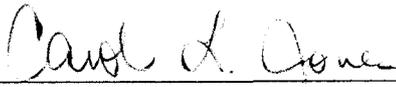
26 Docket Control
27 Arizona Corporation Commission
28 1200 West Washington
Phoenix, Arizona 85007

1 ONE COPY of the foregoing hand-delivered
this 24 day of September, 2007, to:

2
3 Marc Stern, ALJ
4 Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

5 ONE COPY of the foregoing mailed
this 24 day of September, 2007, to:

6
7 Securities Division
8 Arizona Corporation Commission
Attn: Mike Dailey and Mark Dinell
1300 West Washington, Third Floor
Phoenix, Arizona 85007

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11 _____
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SUBPOENA
SECURITIES DIVISION
ARIZONA CORPORATION COMMISSION

TO **Interveners: Sperry Andrews, Hoffa Bogart, Colin Caie, Bob DeYoung, Peggy DeYoung, Rhonda Faris-Holman, Patricia Kerschner, Nigel Smith, James Sweet, Jeanie Stevenson, James Urquhart, Dave Vette, Janet Vette, Mary Elizabeth Barnette, Judy Taylor Bates, Barry Beer, Cindy Beer, Barbara L. Crosby, John Dixon, Nancy Duncan, Adrian Farnsworth, David Genet, Eric Haggard, Daniel and/or Linda Holyk, Bernard and/or Alarya Jay, Danny Lemon, Peter Mt. Shasta, David and/or Lynda Mulder, Gloria Reeder, Naanine Summer, James and/or Elaine Taylor**

**c/o Michael W. Sillyman
Kutak Rock LLP
8601 N. Scottsdale Rd.
Suite 300
Scottsdale, AZ 85253**

**In the matter of
Agra Technology, Inc. file number 7586**

**involving possible violations of the Securities Act
and/or Investment Management Act of Arizona.**

YOU ARE HEREBY REQUIRED to appear before Carrie M. Francis of Quarles & Brady, LLP, Two North Central Avenue, Phoenix, Arizona 85004, on the 5th day of October, 2007, at 10:00 a.m., to PRODUCE THE DOCUMENTS SPECIFIED IN EXHIBIT "A," which is attached and incorporated by reference.

The seal of the Arizona Corporation Commission is affixed hereto, and the undersigned, a member of said Arizona Corporation Commission, or an officer designated by it, has set his hand at Phoenix, Arizona this ____ day of _____, 2007.

Dean S. Miller
Interim Executive Director
Arizona Corporation Commission

Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternate format, by contacting Carol Jones, Legal Assistant to Carrie Francis, voice phone number (602) 229-5230, e-mail cjones@quarles.com. Requests should be made as early as possible to allow time to arrange the accommodation.

General Instructions And Definitions

1. This request includes all DOCUMENTS in the possession, custody, or control of INTERVENERS, or any PERSON or entity acting in their interest or on its behalf, including its officers, directors, managers, members, 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.
2. This request is continuing in nature so as to require INTERVENERS to produce all additional DOCUMENTS responsive to this request that may hereafter come into the custody, possession or control of it or any PERSON or entity acting on its behalf.
3. DOCUMENTS shall either be produced as they are kept in the ordinary course of business or segregated and identified according to the number of the request to which they are primarily responsive.
4. If a claim of privilege is asserted with respect to any DOCUMENT request herein, the following information must be provided:
 - (a) the name of the author of the DOCUMENT;
 - (b) the names of all recipients of the DOCUMENT, including all parties receiving undisclosed copies of the DOCUMENT;
 - (c) the date appearing on the DOCUMENT and, if different, the date the DOCUMENT was created or prepared;
 - (d) the nature of the privilege or privileges claimed;
 - (e) the factual grounds supporting the privilege or the privileges claimed; and
 - (f) the names of all PERSONS, whether recipients or not, having knowledge of the factual basis upon which the privilege is asserted.
5. If, for any reason, any DOCUMENT responsive to this request has been lost, misplaced, destroyed, or otherwise disposed of at any time, state the time, place, manner, or reason for loss, misplacement, destruction or other disposition of such DOCUMENT. In addition, provide a description of the information contained in the DOCUMENT, including but not limited to, the author, addressee, other recipients, and subject matter.
6. The term "DOCUMENT(S)" shall mean any writing or recording, including but not limited to electronic mail, electronic documents, metadata, letters, words, numbers, or their equivalent, set down by handwriting, typewriting, printing, photocopying, photostating, photographing, magnetic impulse, mechanical or electronic recording, or other form of data compilation; books; papers; letters; logs; journals; diaries; records; minutes; notes; summaries of interviews or conversations; schedules; tabulations; vouchers, accounts, invoices; statements; transcripts; affidavits, reports; abstracts; agreements; contracts; calendars; drafts; drawings; sketches; labels; advertisements; charts; graphs; computer input or output; statistics; studies; speeches; motion pictures; slides; photographs; tapes; video tapes; audio tapes; tape recordings; video recordings; voice recordings; and any transcript or recording of any conversation, oral statement or presentation.

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

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

9. The term "COMMUNICATION" means the transmittal of information (in 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.

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

EXHIBIT A

REQUESTED DOCUMENTS

From the period beginning January 1, 2002, to the present date, any and all documents, contracts, agreements, records, books, correspondence, e-mails, and any other papers whether stored on electronic media or otherwise, of any kind held by Interveners concerning AGRA Technologies, Inc., including but not limited to:

- a) Purchase documentation, including drafts or negotiated documents;
- b) Promissory notes;
- c) Payment records;
- d) Banking records;
- e) Financial records, including recession or repayment amounts, earnings or distributions on purchase;
- f) Documents detailing purchase terms;
- g) Documents detailing purchase status;
- h) Documents detailing stock ownership in AGRA Technologies, Inc. or stock valuation;
- i) Documents detailing legal, tax or accounting opinions about purchase;
- j) Documents detailing commissions paid for purchase to AGRA Technologies, Inc. General Agents;
- k) Documents detailing whether the purchaser was an accredited investor, such as questionnaires completed regarding same;
- l) Documents detailing purchase risks or concerns;
- m) Communications with or from AGRA Technologies, Inc. General Agents;
- n) Communications with or from AGRA Technologies, Inc. management or personnel;
- o) Communications with or from other AGRA Technologies, Inc. purchasers;
- p) Communications with any assayer or other science/mining industry personnel about the Sheep Hill cinders or the processing of same to extract precious metals; and/or
- q) Notes regarding any of the categories of documents outlined herein.



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Fax 602.229.5690
www.quarles.com

*Attorneys at Law in:
Phoenix and Tucson, Arizona
Naples, Florida
Chicago, Illinois
Milwaukee and Madison, Wisconsin*

Carrie M. Francis
Writer's Direct Dial: 602.229.5728
E-Mail: cfrancis@quarles.com

September 24, 2007

Michael W. Sillyman
Kutak Rock LLP
8601 N. Scottsdale Rd., Suite 300
Scottsdale, AZ 85253

RE: AGRA Technologies, et al. ats Campbell, et al.

Dear Mr. Sillyman:

Enclosed you will find a Subpoena Duces Tecum that requires the appearance of all the Interveners in the above matter before Quarles & Brady on October 5, 2007. In lieu of personal appearance, they may provide the requested documents, along with the enclosed Affidavit of Custodian by Records, by the due date by mailing them to Carrie M. Francis, Quarles & Brady, Two North Central Avenue, Phoenix, Arizona 85004. Testimony concerning the documents will be scheduled at a later time, if necessary.

Quarles & Brady will pay \$10.00 for each hour of research expended and \$.10 per copy related to compliance with this subpoena. To ensure prompt payment, please have them send an invoice to the attention of the undersigned.

If an Intervener does not have any documents responsive to the subpoena, please have them provide written communication to that effect.

Should you have any questions regarding this subpoena, please feel free to contact me.

Very truly yours,

Carrie M. Francis

CMF:clj

Enclosures
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