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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

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ACCT./PERS
RIZONA CORPORATION COMMISSION

In the matter of:

DOCKET NO. S-20539A-07-0425

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

RESPONDENT ACI HOLDINGS,
INC., AND JAMES W. AND
JENNIFER KEATON'S
EMERGENCY/EXPEDITED
MOTION FOR PROTECTIVE
ORDER/NON-DISCLOSURE OF
FINANCIAL INFORMATION

GREGG L. WOLFE and
ALLICSON 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 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.

ARIZONA CORPORATION COMMISSION
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KYAN KAY & UNDERWOOD, P.L.L.C.

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2 Respondents ACI Holdings, Inc. (“ACI”) and James and Jennifer Keaton, by and
3 through undersigned counsel, hereby file their Motion for Protective Order and Request for
4 the return of financial information which the Commission apparently disclosed to the Purvis
5 Respondents and their counsel without notice to ACI, the Keatons, or their counsel. If
6 possible, these Respondents request that the ALJ set a telephone hearing regarding this
7 Motion as soon as possible, and not later than November 16th, 2007, due to the potential
8 damage to these Respondents by the release, and or disclosure of this information. This
9 Response is supported the attached Memorandum of Points and Authorities.

10 **MEMORANDUM OF POINTS AND AUTHORITIES**

11 On Friday, November 9th, 2007, at 4:56 p.m., incredibly, undersigned counsel
12 received the following e-mail from Shoshana Epstein, counsel for the Commission, “**This**
13 **note is to advise you that the Division has disclosed all the financial information for**
14 **your client personally and for his entities, inclusive of the QuickBooks. This was**
15 **disclosed because the information was reviewed by our forensic accountant. Although**
16 **he did not rely upon this information for his report, as you are aware, it must still be**
17 **disclosed because it was reviewed by him...**” (See e-mail attached as Exhibit 1.) The
18 Commission elected to disclose such information without notice, and without providing ACI
19 and the Keatons the opportunity to object, even though these Respondents have already gone
20 to great lengths in this matter to protect the disclosure of this information.

21 As the ALJ may recall, only recently, ACI and the Keatons filed a Response to the
22 Purvis’ Motion to Compel, asserting among other things, that their financial information is
irrelevant to the charges against Purvis, confidential, and should not be disclosed in a public
forum. Specifically, these Respondents noted:

1 **Finally, there are absolutely no allegations in the Notice to which ACI's or CSI's**
2 **financial records are relevant... The issues before the Hearing Officer are**
3 **whether there was a registration violation, and whether there was fraud. The**
4 **Commission has yet to explain how ACI's financial condition or records affect**
5 **either issue. According to ACI's consent, ACI failed to disclose that NCGMI and**
6 **Jim Keaton controlled a majority of the stock. Not one of ACI's financial**
7 **records will be relied upon to prove that allegation. There is certainly nothing**
8 **about ACI's finances which is related to whether certain of its investors were**
9 **accredited or not. ACI does not wish to share this information with Purvis, who**
10 **it views could use this information against it in the future, possibly in a lawsuit or**
11 **in perhaps a tortuous manner. Further, this information is confidential, and**
12 **should not be divulged in a public forum. These records are not relevant, and**
13 **should be subject to a protected order.**

8 The ALJ denied the Motion to Compel on the basis that the Commission represented
9 that it did not intend to use ACI or the Keatons' financial records at the hearing. As such,
10 there is no basis why the Commission would have disclosed such records at this stage of the
11 proceeding. These Respondents fear that the Purvis Respondents will use this information for
12 nothing other than as a sword against them. The Commission's disclosure of this
13 information was not only unwarranted, also violates its own confidentiality statute, and
14 federal financial privacy laws.

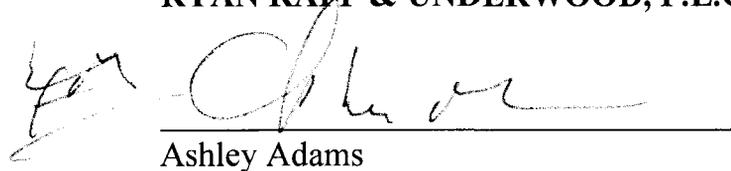
15 While obviously these Respondents cannot "unring a bell", and the damage has been
16 done, they must do what they can to protect themselves as best they can. Respondents
17 request that the ALJ issue an emergency Order of Protection, such that the records cannot be
18 used in the proceeding, or be disclosed publicly. Respondents also request that the ALJ
19 order that all of their financial records be returned to the Commission immediately, without
20 copies being made or kept, and they be destroyed or returned to these Respondents upon
21 completion of the hearing.

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RESPECTUFLLY SUBMITTED this 13th day of November, 2007.

RYAN RAPP & UNDERWOOD, P.L.C.



Ashley Adams
Attorneys for Respondents

ORIGINAL and 13 COPIES of the foregoing filed
this 13th day of November, 2007 with:

Docket Control
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COPY hand-delivered this 13th day of November, 2007 to:

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Copies mailed this 13th day of November, 2007 to:

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