

1 Complaint's financial capabilities relevant to this proceeding. The Respondent has no objection
2 to reviewing the requested data subject to a confidentiality agreement.

3 4. Data Request 4 pertains to Complainant's allegations as to Respondents dealings
4 with any of Respondent's other customers, and any representation or misrepresentations
5 Complainant may have made regarding the service at issue. Complainant responded that the
6 Request is irrelevant. Complainant may be operating under incorrect factual assumptions which
7 would influence its testimony or representation in this proceeding. Respondent must be able to
8 discover the basis for any of Complainant's statements and allegations, and the source of those
9 statements or allegations.

10 5. Data Request 6 pertains to the Complainant's failure to sit down in a face to face
11 meeting with Respondent to understand and negotiate a resolution of the issues. Complainant
12 responds that Mr. Ashton is not a party to the Complaint. Mr. Ashton is the Managing Member
13 of the Complaint and the only person with whom the Respondent has communicated on this
14 matter. It is submitted that email is not an effective tool to conduct such communications, and
15 knowing the principal member's availability during the pre-complaint time frame will highlight
16 the difficulty the Respondent has had in successfully resolving the matter.

17 WHEREFORE, the Company respectfully requests that the Commission order the
18 Complainant to completely and promptly provide the information and documents Respondent
19 has requested in its First Data Request, and to order such other relief as the Commission may
20 deem appropriate.

21 ...

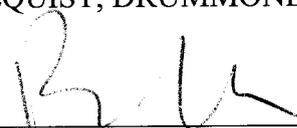
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RESPECTFULLY submitted this ^{13th} day of May 2008.

SALLQUIST, DRUMMOND & O'CONNOR, P.C.

By: 

Richard L. Sallquist
4500 South Lakeshore Drive, Suite 339
Tempe, Arizona 85282
Phone: (480) 839-5202
Fax:(480)345-0412

1 Original and fifteen copies of the
2 foregoing filed this 13th day
of May 2008:

3 Docket Control
4 Arizona Corporation Commission
5 1200 West Washington
6 Phoenix, Arizona 85007

7 A copy of the foregoing
8 mailed/hand delivered this
9 13th day of May 2008, to:

10 Hearing Division
11 Arizona Corporation Commission
12 1200 West Washington
13 Phoenix, Arizona 85007

14 Utilities Division
15 Arizona Corporation Commission
16 1200 West Washington
17 Phoenix, Arizona 85007

18 Legal Division
19 Arizona Corporation Commission
20 1200 West Washington
21 Phoenix, Arizona 85007

22 Craig A. Marks
23 Craig A. Marks, PLC
3420 E. Shea Blvd, Suite 200
Phoenix, Arizona 85028

SALLQUIST, DRUMMOND & O'CONNOR, P.C.

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April 29, 2008

EMAIL

Craig Marks
3420 E Shea Blvd. Suite 200
Phoenix, Arizona 85028

Re: Swing First vs. Johnson Utilities Company; Docket No. WS-02987A-08-0049

Dear Mr. Marks:

Enclosed please find the Respondent's First Data Request of the Complainant.
We anticipate receiving your Response by May 9, 2008.

Sincerely,

/s/

Richard L. Sallquist

Docket No. WS-02987A-08-0049

Swing First Golf, L.L.C.

Johnson's First Data Request

1. Please provide financial statements for the calendar years 2005, 2006 & 2007, including any statements that have been prepared for Swing First Golf's investors.
2. Provide the names, addresses, phone numbers and business relationship of all investors in Swing First Golf L.L.C., including details of investors who have paid for the yearly shortfalls of Swing First.
3. Provide the name, address, phone number and liability amount for all Primary and Secondary lenders, Construction loans, Partner Loans, Membership Capital Contributions, (howsoever said liabilities may be nominated), and all contractors and suppliers liabilities, besides JUC.
4. Has Complainant tried to communicated with, or attempted to convince, "reach out to", or "team up" with, any other JUC customers? If so, please state the nature and content of that communication?
5. Does Swing First have a line of credit (howsoever said liability may be nominated) with any lending institution? If so, what is the limit on that line, the balance and the due date(s)?
6. Respondent understands that Complainant Ashton in out of the Country at this time. Has Ashton at anytime been in Arizona since November 2007 when he could have attempted to resolve this matter with JUC? Provide dates and length of stay.

CRAIG A. MARKS PLC

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May 3, 2008

Richard L. Sallquist
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4500 S. Lakeshore Drive
Suite 39
Tempe, Arizona 85282

Docket No. WS-02987A-08-0049

Dear Dick:

Swing First Golf LLC ("Swing First") hereby provides the following responses to the First Data Requests from Johnson Utilities LLC. For your convenience, I have listed each data request, followed by Swing First's response.

1. Please provide financial statements for the calendar years 2005, 2006 & 2007, including any statements that have been prepared for Swing First Golf's investors.

Response. Objection. The information sought is confidential, proprietary, and irrelevant.

2. Provide the names, addresses, phone numbers and business relationship of all investors in Swing First Golf L.L.C., including details of investors who have paid for the yearly shortfalls of Swing First.

Response. Objection. The information sought is confidential, proprietary, and irrelevant.

3. Provide the name, address, phone number and liability amount for all Primary and Secondary lenders, Construction loans, Partner Loans, Membership Capital Contributions, (howsoever said liabilities may be nominated), and all contractors and suppliers liabilities, besides JUC.

Response. Objection. The information sought is confidential, proprietary, and irrelevant.

4. Has Complainant tried to communicate with, or attempted to convince, "reach out to", or "team up" with, any other JUC customers? If so, please state the nature and content of that communication?

Response. Objection. The information sought is irrelevant.

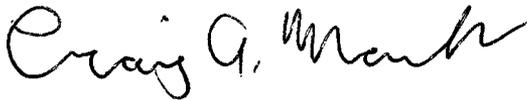
5. Does Swing First have a line of credit (howsoever said liability may be nominated) with any lending institution? If so, what is the limit on that line, the balance and the due date(s)?

EXHIBIT 2

Response. Objection. The information sought is confidential, proprietary, and irrelevant.

6. Respondent understands that Complainant Ashton is out of the Country at this time. Has Ashton at anytime been in Arizona since November 2007 when he could have attempted to resolve this matter with JUC? Provide dates and length of stay.

Response. Objection. Mr. Ashton is not a party in this matter, and Mr Ashton's location on any particular day is not relevant. Further, the evidence is clear that Swing First diligently attempted for many months to resolve this matter with Utility through face-to-face meetings, e-mails, and phone calls, but these efforts were futile. This forced Swing First to first file its informal complaint and then its formal complaint in this docket.

A handwritten signature in black ink that reads "Craig A. Marks". The signature is written in a cursive, flowing style.

Craig A. Marks