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AZ CORP COMMISSION
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Arizona Corporation Commission
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10/21/08

BEFORE THE ARIZONA CORPORATION COMMISSION

MARK W. BOSWORTH and LISA A. BOSWORTH,
husband and wife;

STEPHEN G. VAN CAMPEN and DIANE V. VAN
CAMPEN, husband and wife;

MICHAEL J. SARGENT and PEGGY L. SARGENT,
husband and wife;

ROBERT BORNHOLDT and JANE DOE
BORNHOLDT, husband and wife;

MARK BOSWORTH & ASSOCIATES, LLC, an Arizona
limited liability company;

3 GRINGOS MEXICAN INVESTMENTS, LLC, an
Arizona limited liability company;

Respondents.

Docket No. S-20600A-08-0340

**ANSWER OF RESPONDENT
ROBERT BORNHOLDT'S TO
NOTICE OF OPPORTUNITY
FOR HEARING REGARDING
PROPOSED ORDER TO
CEASE AND DESIST, FOR
RESTITUTION, FOR
ADMINISTRATIVE
PENALTIES, AND FOR
OTHER AFFIRMATIVE
ACTION**

1 Respondent Robert Bornholdt, an unmarried man, by and through undersigned counsel
2 herein answers or otherwise responds to the allegations of the Arizona Corporation Commission,
3 Securities Division contained in the July 3, 2008, Notice of Opportunity for Hearing Regarding
4 Proposed Order to Cease and Desist, for Restitution, for Administrative Penalties, and for other
5 Affirmative Action. Robert Bornholdt, herein specifically denies that he is engaged in any acts,
6 practices, or transactions that would constitute violations of the securities act of Arizona, ARS § 44-
7 1801, et seq.
8

9 1. Answering paragraph one, Respondent Bornholdt admits that the Commission has
10 jurisdiction over matters pertaining to the Arizona Securities Act.
11

12 2. Answering paragraph two, Respondent Bornholdt is without knowledge or
13 information sufficient to answer said paragraph. On information and belief, Respondent Bosworth
14 is or was a resident of Maricopa County Arizona, and was the manager of Mark Bosworth &
15 Associates, LLC.

16 3. Answering paragraph three, Respondent Bornholdt is without sufficient knowledge
17 or information to answer said paragraph.
18

19 4. Answering paragraph four, Respondent Bornholdt is without sufficient knowledge or
20 information to answer said paragraph.

21 5. Answering paragraph five, Robert Bornholdt is an unmarried individual residing in
22 Maricopa County, Arizona. Further, admit that Respondent Bornholdt is the holder of a real estate
23 license issued by the Arizona Department of Real Estate and was, prior to his resignation, the
24 designated broker of Mark Bosworth & Associates, LLC. Respondent Bornholdt resigned from
25 employment by MBA in or about September of 2006.
26
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1 6. Answering paragraph six, Respondent Bornholdt, upon information and belief,
2 admits said paragraph.

3 7. Answering paragraph seven, Respondent Bornholdt is without knowledge or
4 information to answer said paragraph.
5

6 8. Paragraph eight contains no allegations to which Respondent Bornholdt need
7 respond.

8 9. Answering paragraph nine, Respondent Bornholdt is without sufficient knowledge or
9 information to answer said paragraph other than to deny that he is married and to deny that there is a
10 Jane Doe Bornholdt.

11 10. Answering paragraph ten, Respondent Bornholdt denies said paragraph as to himself,
12 and is without knowledge or information to answer said paragraph regarding the other Respondents.
13

14 11. Answering paragraph eleven, Respondent Bornholdt admits that he was not
15 registered with the Commission as a securities dealer salesman, but is without knowledge or
16 information as to the other named Respondents.
17

18 12. Answering paragraph twelve, Respondent Bornholdt denies that he offered or sold
19 investment contracts, but is aware that MBA may have offered or sold such contracts and
20 promissory notes. With respect to 3GMI, this was a program that Respondent Bornholdt believes
21 was done at MBA after he resigned his employment in September, 2006. Respondent Bornholdt did
22 not solicit any such investments nor did he receive any commissions or other compensation for such
23 investments, if any.
24

25 13. Answering paragraph thirteen, Respondent Bornholdt denies that he solicited
26 investors, but admits that Respondent MBA did so.
27
28

1 14. Answering paragraph fourteen, Respondent Bornholdt denies making representations
2 concerning the investments to offerees and investors as alleged in paragraph fourteen.

3 15. Answering paragraph fifteen, Respondent Bornholdt denies that he made the
4 representations to investors as outlined in paragraph fifteen.

5 16. Answering paragraph sixteen, Respondent Bornholdt denies said paragraph as to
6 himself. As to what said investors would have received as returns on their investments from MBA,
7 Respondent Bornholdt is without knowledge or information.

8 17. Answering paragraph seventeen of the Complaint, Respondent Bornholdt denies said
9 paragraph as to himself. He made no representations as to risk or anything else related to the subject
10 investments.
11

12 18. Answering paragraph eighteen of the Complaint, Respondent Bornholdt denies
13 having made the subject representations to investors or that he had anything to do with any
14 unauthorized transfer of said monies.
15

16 19. Answering paragraph nineteen, Respondent Bornholdt denies said paragraph with
17 respect to himself.
18

19 20. Answering paragraph twenty, Respondent Bornholdt denies said paragraph as to
20 himself.
21

22 21. Answering paragraph twenty-one, Respondent Bornholdt denies said paragraph.

23 22. Answering paragraph twenty-two, Respondent Bornholdt denies said paragraph.

24 23. Answering paragraph twenty-three, Respondent Bornholdt denies said paragraph.

25 24. Answering paragraph twenty-four, Respondent Bornholdt denies said paragraph with
26 respect to himself.

27 25. Answering paragraph twenty-five, Respondent Bornholdt denies said paragraph.
28

1 26. Respondent Bornholdt denies each and every allegation not expressly admitted
2 herein. Further, Respondent Bornholdt is completely surprised by his inclusion as a Respondent in
3 the Notice of Opportunity for Hearing Regarding Proposed Order to Cease and Desist, for
4 Restitution, for Administrative Penalties. For approximately two years, Respondent Bornholdt has
5 voluntarily cooperated with the Securities Division's investigation of this matter, provided
6 information and documentation, and facilitated introductions to other potential witnesses. In
7 seeking Respondent Bornholdt's assistance, Respondent Bornholdt was never told by the Division's
8 attorneys and investigators that he might be a target of any investigation or proceeding by the
9 Securities Division. Rather, he was led to believe that his assistance was being sought because he
10 might have useful information to the Division in its investigation of Mark W. Bosworth and his
11 company MBA (Respondent Bosworth's former employer).
12
13

14 WHEREFORE, having fully answered the Notice of Opportunity for Hearing Regarding
15 Proposed Order to Cease and Desist, for Restitution, for Administrative Penalties, and for other
16 Affirmative Actions, Respondent Bornholdt requests the following:
17

- 18 1. That the Commission deny the relief and order requested by the Securities Division
19 with respect to Respondent Bornholdt.
- 20 2. That no restitution be ordered against Respondent Bornholdt.
- 21 3. That no administrative penalties be assessed against Respondent Bornholdt.
- 22 4. That no finding of any marital community liability of Respondent Bornholdt be
23 determined.
- 24 5. That any requested findings of fact by the Division be denied.
- 25 6. That this action be dismissed with respect to Respondent Bornholdt in his entirety.
26
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1 Respondent Bornholdt has previously requested a hearing in this matter and continues to
2 request a hearing in this matter.

3 DATED this 11th day of August, 2008.

4 MITCHELL & FOREST
5 A Professional Corporation

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9 By 
10 Robert D. Mitchell
11 Joshua R. Forest
12 Julie M. Beauregard
13 Viad Corporate Center, Suite 1715
14 1850 North Central Avenue
15 Phoenix, Arizona 85004
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1 ORIGINAL of the foregoing Answer
2 filed this 11th day of
3 August, 2008 with:

4 Docket Control
5 Arizona Corporation Commission
6 1200 W. Washington Street
7 Phoenix, Arizona 85007

8 Copies of the foregoing mailed
9 this 11th day of August, 2008 to:

10 Aaron S. Ludwig, Esq.
11 Arizona Corporation Commission
12 Securities Division
13 1300 W. Washington Street
14 Third Floor
15 Phoenix, Arizona 85007

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VERIFICATION

STATE OF ARIZONA)
) ss.
County of Maricopa)

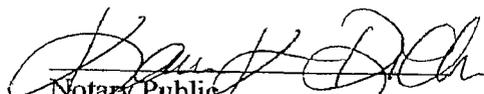
I, Robert Bornholdt, do hereby swear under oath as follows:

I am one of the named respondents in the above captioned matter. I have read the foregoing answer in its entirety, know the contents thereof, and the same are true to the best of my knowledge and belief except as to those matters alleged on information and belief, and as to those I believe them to be true.

DATED this 6 day of August, 2008.


Robert Bornholdt

SUBSCRIBED AND SWORN to before me the undersigned notary public this 6th day of August, 2008.


Notary Public

My commission expires: 1-9-11

