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2009 JAN -9 P 4: 38
AZ CORP COMMISSION
DOCKET CONTROL

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

KRISTIN K. MAYES, Chairman
PAUL NEWMAN
GARY PIERCE
SANDRA D. KENNEDY
BOB STUMP

In the matter of:

Trademark Capital Management, LLC,
an Arizona limited liability company;

Blue Investments, LLC,
an Arizona limited liability company;

Travis Richey and Melissa Boyd,
Husband and Wife;

Respondents.

DOCKET NO. S-20603A-08-0370

**RESPONDENTS' LIST OF
WITNESSES AND EXHIBITS**

Arizona Corporation Commission
DOCKETED

JAN - 9 2009

DOCKETED BY 

Respondents plan to call the following witnesses:

1. Travis Richey
2. Barbara Atkinson
3. Barbara Broyles
4. Alan Davis
5. John Braun

- 1 6. Luc Nguyen
- 2 7. Ray Morris
- 3 8. Bret Fifield
- 4 9. Glen Sigmund
- 5 10. Tom Bauer
- 6 11. Steven Van Campen
- 7 12. Fernando Albarran
- 8 13. Michael Brokaw
- 9 14. Chad Rosser
- 10 15. Mark Bosworth
- 11 16. Any Investor in Blue Investments, LLC
- 12 17. Any witness listed or called by the Securities Division
- 13 18. Any witness necessary: (1) to lay foundation; or (2) for rebuttal or
- 14 impeachment

15 They plan to introduce the following exhibits:

- 16 1. Private Placement Memorandum for Blue Investments, LLC
- 17 2. Blue Notice of Sale of Securities pursuant to Regulation D (Form D)
- 18 3. Blue Investor Questionnaire (blank)
- 19 4. Blue Subscription Agreement (blank)
- 20 5. Joint Venture Agreement between Luc Nguyen and Travis Richey dated
- 21 April 23, 2008
- 22 6. Responses to Subpoenas issued to Blue Investments, LLC; Trademark
- 23 Capital Management, LLC; and Private Equity, LLC, and responses to
- 24 Securities Division requests for information
- 25 7. Revised list of Blue investors dated September 12, 2008

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- 1 8. Correspondence from R. Morris dated September 18, 2008, December 19,
2 2008 and December 20, 2008
- 3 9. Correspondence to Blue investors from Luc Nguyen, N-Sight Consulting
4 dated October 30, 2008 and November 28, 2008
- 5 10. Investor files for all the Blue Investments, LLC investors including:
 - 6 A. Alan Bywater
 - 7 B. Alan Davis
 - 8 C. Alixe Daniel
 - 9 D. Chris Brown (two files)
 - 10 E. Edward Anway
 - 11 F. Edward Broyles (two files)
 - 12 G. Glenda Hill
 - 13 H. James Barrow
 - 14 I. Jim and Rebecca Barrow
 - 15 J. Jerry Radke
 - 16 K. Nicholas Kay
 - 17 L. Peggy Begley
 - 18 M. Rebecca Barrow
 - 19 N. Sandra Cressman
 - 20 O. Tom and Donna Ferris
- 21 11. All documents produced by Respondents
- 22 12. All documents discovered or otherwise obtained subsequent to the filing of
23 this list
- 24 13. All documents in the Division's investigative files in this matter, or in any
25 other Division matter that pertain to Respondents or the allegations made in
26 this case

- 1 14. Documents requested and/or exchanged by the parties
- 2 15. Transcripts and Exhibits from any Examinations Under Oath taken in this
- 3 matter
- 4 16. Investigative memoranda or any writings/recordings documenting
- 5 statements/interviews given to the Division in connection with this matter
- 6 17. Pleadings, exhibits, and other documents filed or served in this matter
- 7 18. Any document necessary: (1) to lay foundation; or (2) for rebuttal or
- 8 impeachment
- 9 19. Learned treatises
- 10 20. Enlargement or summary of exhibits
- 11 21. Exhibits listed or used by the Securities Division
- 12 22. Exhibits identified through future discovery
- 13 23. Applicable statutes, rules and regulations

14 Copies of the documents described in nos. 1-10 above are contained in a CD
15 provided to ALJ Stern and the Securities Division.

16 DATED this 9th day of January, 2009.

17 **BUCKLEY KING LPA**

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19 By: 

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23 **ORIGINAL** and 13 copies filed with:

24 Docket Control
25 Arizona Corporation Commission
26 1200 W. Washington
Phoenix, AZ 85007

and a copies delivered to:

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Hon. Marc Stern
Hearing Division
Arizona Corporation Commission
1200 W. Washington
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Phuong (Paul) Huynh
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