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BEFORE THE ARIZONA CORPORATION COMMISSION

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**MARC SPITZER**  
Chairman

**JIM IRVIN**  
Commissioner

**WILLIAM A. MUNDELL**  
Commissioner

**JEFF HATCH-MILLER**  
Commissioner

**MIKE GLEASON**  
Commissioner

Arizona Corporation Commission

**DOCKETED**

FEB 14 2003

2003 FEB 14 P 12:31

AZ CORP COMMISSION  
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IN THE MATTER OF

DOCKET NO. S-03491A-02-0000

AMERICAN NATIONAL MORTGAGE  
PARTNERS, L.L.C.  
15021 N. 74<sup>th</sup> Street, Suite 100  
Scottsdale, Arizona 85260

**MOTION TO WITHDRAW**

SECURA INNOVATIVE INVESTMENT, INC.  
15021 N. 74<sup>th</sup> Street, Suite 100  
Scottsdale, Arizona 85260

SECURA MORTGAGE MANAGEMENT,  
L.L.C.  
15021 N. 74<sup>th</sup> Street, Suite 100  
Scottsdale, Arizona 85260

CASH FLOW UNIVERSITY, INC.  
15021 N. 74<sup>th</sup> Street, Suite 100  
Scottsdale, Arizona 85260

SECURA FUND ARIZONA, L.L.C.  
15021 N. 74<sup>th</sup> Street, Suite 100  
Scottsdale, Arizona 85260

LARRY WILLIAM DUNNING and SHIELA  
DUNNING, husband and wife  
5635 E. Lincoln Dr., #23  
Paradise Valley, Arizona 85253-4121

PHIL VIGARINO and JANE DOE VIGARINO,  
husband and wife  
15021 N. 74<sup>th</sup> Street, Suite 100  
Scottsdale, Arizona 85260

ROBERT K. REHM  
15021 N. 74<sup>th</sup> Street, Suite 100  
Scottsdale, Arizona 85260

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1 MARK KESLER and JANE DOE KESLER,  
husband and wife  
2 10783 W. Encanto Blvd.  
Avondale, Arizona 85323

3 FRANK CASPARE and GAIL CASPARE,  
husband and wife  
4 27 Taconic  
Millwood, NY 10546-1125

5 Respondents.

6  
7 The law firm of Roshka Heyman & DeWulf hereby moves to withdraw as counsel for  
8 Larry Dunning, Sheila Dunning and Cash Flow University, Inc.

9 It is undersigned counsel's understanding that the hearing officer will no longer permit  
10 attorneys practicing before the ACC to simply file a notice of withdrawal. Accordingly, this  
11 Motion is filed pursuant to Rule 5.1(a)(2)(c) of the Arizona Rules of Civil Procedure. Rule  
12 5.1(a)(2)(c) governs the withdrawal of counsel where the trial date has been set. Rule 5.1(a)(2)(c)  
13 permits an attorney to withdraw, in pertinent part, if the court is satisfied with good cause shown  
14 that the attorney should be permitted to withdraw.  
15

16 Good cause exists to permit undersigned counsel's withdrawal. This motion is based on  
17 ER 1.16, Rule 42, Rules of the Supreme Court of Arizona. Undersigned counsel and Mr. Dunning  
18 have an irreconcilable conflict that will not allow counsel to continue the representation of any of  
19 his clients. Undersigned counsel cannot disclose the basis of the conflict because to do so would  
20 result in a breach of the attorney-client privilege.  
21

22 Undersigned counsel avows that a conflict exists that renders his firm's continued  
23 involvement in this matter untenable, and that good cause exists to grant the Motion to Withdraw.  
24 Undersigned counsel has advised his clients of the hearing date.  
25  
26  
27

**ROSHKA HEYMAN & DEWULF, PLC**  
ONE ARIZONA CENTER  
400 EAST VAN BUREN STREET, SUITE 800  
PHOENIX, ARIZONA 85004  
TELEPHONE NO 602-256-6100  
FACSIMILE 602-256-6800

RESPECTFULLY SUBMITTED this 14<sup>th</sup> day of February, 2003.

ROSKA HEYMAN & DeWULF, PLC

By 

Alan S. Baskin  
One Arizona Center  
400 East Van Buren Street, Suite 800  
Phoenix, Arizona 85004  
Attorneys for Respondents  
Cash Flow University, Inc. and  
Larry Dunning

ORIGINAL and thirteen copies of the foregoing  
hand-delivered this 14<sup>th</sup> day of February, 2003 to:

Docket Control  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, AZ 85007

COPY of the foregoing hand-delivered  
this 14<sup>th</sup> day of February, 2003 to:

Mark Sendrow  
Director of Securities  
Securities Division  
Arizona Corporation Commission  
1300 W. Washington Street, 3<sup>rd</sup> Floor  
Phoenix, AZ 85007

Philip J. Dion III  
Administrative Law Judge  
Arizona Corporation Commission  
1200 W. Washington  
Phoenix, AZ 85007

COPY of the foregoing mailed  
this 14<sup>th</sup> day of February, 2003 to:

David B. Stocker, Esq.  
Valley Commerce Center  
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Phoenix, AZ 85014

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- 10 Phoenix, AZ 85007-2997
  
- 10 
- 11 dunning.acc/pld/mt to withdraw.doc
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