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BEFORE THE ARIZONA CORPORATION COMMISSION

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AZ CORP COMMISSION
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Commissioner
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Commissioner
BOB STUMP
Commissioner

In the matter of: LARRY WAYNE ZIEGLER (a/k/a Zig Ziegler), a single man, TROY DEE TRUVILLION and JENIA DIMITROVA, husband and wife, and MOTION DNA, INC., a Nevada corporation Respondents.	DOCKET NO. S-20708A-09-0499 **RESPONDENT TROY DEE TRUVILLION'S ANSWER**

Respondent Troy Dee Truvillion ("Respondent") submits his Answer to the Notice of Opportunity for Hearing Regarding Proposed Order to Cease and Desist, Order for Restitution, for Administrative Penalties and for Other Affirmative Action (the "Notice"). Respondent responds to the numbered paragraphs of the Notice as follows:

I.

JURISDICTION

1. Respondent denies the allegations in paragraph 1 of the Notice.

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...

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Arizona Corporation Commission
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TEMPE, ARIZONA 85281
TELEPHONE NO 480-968-1225
FACSIMILE 480-968-6255

II.

RESPONDENTS

2. Respondent is without sufficient knowledge or information to admit or deny the allegations contained in paragraph 2 of the Notice, and, therefore denies those allegations.

3. Respondent is without sufficient knowledge or information to admit or deny the allegations contained in paragraph 3 of the Notice, and, therefore denies those allegations.

4. Respondent is without sufficient knowledge or information to admit or deny the allegations contained in paragraph 4 of the Notice, and, therefore denies those allegations.

5. Respondent admits he is married. Respondent denies the remaining allegations in paragraph 5 of the Notice.

6. Respondent admits the allegations in paragraph 6 of the Notice.

7. This allegation requires no response.

8. Respondent denies the allegations in paragraph 8 of the Notice.

9. This allegation requires no response.

III.

FACTS

10. As to the allegations in paragraph 10 regarding Respondent Ziegler, Respondent lacks sufficient knowledge or information to admit or deny the allegations and, therefore denies those allegations. Respondent denies the remaining allegations in paragraph 10 of the Notice.

11. As to the allegations in paragraph 11 regarding Respondent Ziegler, Respondent lacks sufficient knowledge or information to admit or deny the allegations and, therefore denies those allegations. Respondent denies the remaining allegations in paragraph 11 of the Notice.

12. Respondent denies the allegations in paragraph 12 of the Notice.

13. As to the allegations in paragraph 13 regarding Respondent Ziegler, Respondent lacks sufficient knowledge or information to admit or deny the allegations and, therefore denies those allegations. The remaining allegations in paragraph 13 of the Notice contain an incomplete, inaccurate and misleading statement of the facts, and are therefore denied.

14. As to the allegations in paragraph 14 regarding Respondent Ziegler, Respondent lacks sufficient knowledge or information to admit or deny the allegations and, therefore denies those allegations. The remaining allegations in paragraph 14 of the Notice contain an incomplete, inaccurate and misleading statement of the facts, and are therefore denied.

15. As to the allegations in paragraph 15 regarding Respondent Ziegler, Respondent lacks sufficient knowledge or information to admit or deny the allegations and, therefore denies those allegations. The remaining allegations in paragraph 15 of the Notice contain an incomplete, inaccurate and misleading statement of the facts, and are therefore denied.

16. The allegations in paragraph 16 of the Notice contain an incomplete, inaccurate and misleading statement of the facts, and are therefore denied.

17. As to the allegations in paragraph 17 regarding Respondent Ziegler, Respondent lacks sufficient knowledge or information to admit or deny the allegations and, therefore denies those allegations. The remaining allegations in paragraph 17 of the Notice contain an incomplete, inaccurate and misleading statement of the facts, and are therefore denied.

18. Respondent denies the allegations in paragraph 18 of the Notice.

19. The allegations in paragraph 19 of the Notice contain an incomplete, inaccurate and misleading statement of the facts, and are therefore denied.

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20. As to the allegations in paragraph 20 regarding Respondent Ziegler, Respondent lacks sufficient knowledge or information to admit or deny the allegations and, therefore denies those allegations. Respondent denies the remaining allegations in paragraph 20 of the Notice.

21. As to the allegations in paragraph 21 regarding Respondent Ziegler, Respondent lacks sufficient knowledge or information to admit or deny the allegations and, therefore denies those allegations. The remaining allegations in paragraph 21 of the Notice contain an incomplete, inaccurate and misleading statement of the facts, and are therefore denied.

22. The allegations in paragraph 22 of the Notice contain an incomplete, inaccurate and misleading statement of the facts, and are therefore denied.

23. The allegations in paragraph 23 of the Notice contain an incomplete, inaccurate and misleading statement of the facts, and are therefore denied.

24. Respondent is without sufficient knowledge or information to admit or deny the allegations contained in paragraph 24 of the Notice, and, therefore denies those allegations.

25. Respondent is without sufficient knowledge or information to admit or deny the allegations contained in paragraph 25 of the Notice, and, therefore denies those allegations.

26. Respondent is without sufficient knowledge or information to admit or deny the allegations contained in paragraph 26 of the Notice, and, therefore denies those allegations.

27. The allegations in paragraph 27 of the Notice contain an incomplete, inaccurate and misleading statement of the facts, and are therefore denied.

28. Respondent is without sufficient knowledge or information to admit or deny the allegations contained in paragraph 28 of the Notice, and, therefore denies those allegations.

29. Respondent is without sufficient knowledge or information to admit or deny the allegations contained in paragraph 29 of the Notice, and, therefore denies those allegations.

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30. As to the allegations in paragraph 30 regarding Respondent Ziegler, Respondent lacks sufficient knowledge or information to admit or deny the allegations and, therefore denies those allegations. The remaining allegations in paragraph 30 of the Notice contain an incomplete, inaccurate and misleading statement of the facts, and are therefore denied.

31. Respondent is without sufficient knowledge or information to admit or deny the allegations contained in paragraph 31 of the Notice, and, therefore denies those allegations.

32. As to the allegations in paragraph 32 regarding Respondent Ziegler, Respondent lacks sufficient knowledge or information to admit or deny the allegations and, therefore denies those allegations. The remaining allegations in paragraph 32 of the Notice contain an incomplete, inaccurate and misleading statement of the facts, and are therefore denied.

33. The allegations in paragraph 33 of the Notice contain an incomplete, inaccurate and misleading statement of the facts, and are therefore denied.

34. As to the allegations in paragraph 34 regarding Respondent Ziegler, Respondent lacks sufficient knowledge or information to admit or deny the allegations and, therefore denies those allegations. Respondent denies the remaining allegations in paragraph 34 of the Notice.

IV.

VIOLATION OF A.R.S. § 44-1841
(Offer or Sale of Unregistered Securities)

35. Respondent denies the allegations in paragraph 35 of the Notice.

36. Respondent denies the allegations in paragraph 36 of the Notice.

37. Respondent denies the allegations in paragraph 37 of the Notice.

V.

VIOLATION OF A.R.S. § 44-1842
(Transactions by Unregistered Dealers or Salesmen)

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38. Respondent denies the allegations in paragraph 38 of the Notice.

39. Respondent denies the allegations in paragraph 39 of the Notice.

VI.

VIOLATION OF A.R.S. § 44-1991
(Fraud in Connection with the Offer or Sale of Securities)

40. Respondent denies the allegations in paragraph 40 of the Notice.

41. Respondent denies the allegations in paragraph 41 of the Notice.

42. Respondent denies each and every allegation not specifically admitted.

AFFIRMATIVE DEFENSES

The following affirmative defenses nullify any potential claims asserted by the Division. Respondent reserves the right to amend this Answer to assert additional defenses after completion of discovery.

First Affirmative Defense

No violation of the Arizona Securities Act occurred because the program at issue is not a security.

Second Affirmative Defense

Because the program at issue is not a security, the Arizona Securities Division has no jurisdiction to bring this action and the action should be dismissed.

Third Affirmative Defense

The Notice fails to state a claim upon which relief can be granted.

Fourth Affirmative Defense

The Division has failed to plead fraud with reasonable particularity as required by Rule 9(b) of the Arizona Rules of Civil Procedure.

Fifth Affirmative Defense

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Respondent did not know and in the exercise of reasonable care could not have known of any alleged untrue statements or material omissions as set forth in the Notice.

Sixth Affirmative Defense

Respondent did not act with the requisite scienter.

Seventh Affirmative Defense

Respondent did not employ a deceptive or manipulative device in connection with the purchase or sale of any security.

Eighth Affirmative Defense

Respondent did not violate A.R.S. § 44-1991.

Ninth Affirmative Defense

Individuals purchasing the program at issue suffered no injuries or damages as a result of Respondent's alleged acts.

Tenth Affirmative Defense

Purchasers of the program at issue approved and/or authorized and/or directed all of the transactions at issue.

Eleventh Affirmative Defense

If the program at issue was a security it was exempt from registration and/or sold in an exempt transaction.

Twelfth Affirmative Defense

This proceeding before the Arizona Corporation Commission denies Respondent essential due process and is lacking in fundamental fairness. Respondent's constitutional rights will be further denied if he is not afforded trial by jury of this matter.

Thirteenth Affirmative Defense

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The Division cannot meet the applicable standards for any of the relief it is seeking in the Notice.

Fourteenth Affirmative Defense

Respondent did not offer or sell securities within the meaning of the Arizona Securities Act.

Fifteenth Affirmative Defense

Respondent did not offer or sell or participate in the offer or sale of securities.

Sixteenth Affirmative Defense

Restitution is not an appropriate remedy.

Seventeenth Affirmative Defense

To the extent an award of restitution is appropriate, the Commission should use its discretion to reduce the amount, if any, Respondent must pay.

Eighteenth Affirmative Defense

Respondent alleges such other affirmative defenses set forth in the Arizona Rules of Civil Procedure 8(c) as may be determined to be applicable during discovery.

RESPECTFULLY SUBMITTED this 30th day of November, 2009.

BADE & BASKIN PLC

By _____

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Attorneys for Respondents Troy Dee Truvillion

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ORIGINAL and thirteen copies of the foregoing filed this 20th day of November, 2009 with:

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

COPY of the foregoing hand-delivered this 20th day of November, 2009 to:

Matthew J. Neubert
Director of Securities
Securities Division
Arizona Corporation Commission
1300 W. Washington Street, 3rd Floor
Phoenix, AZ 85007

COPY of the foregoing mailed this 20th day of November, 2009 to:

Rachel Strachan
Securities Division
Arizona Corporation Commission
1300 W. Washington, 3rd Floor
Phoenix, AZ 85007

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