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 11 *Berta Walder, Howard Walder, Harish P. Shah, Madhavi H. Shah and Horizon Partners, LLC*

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 2010 FEB 18 P 4: 26
 AZ CORP COMMISSION
 DOCKET CONTROL

BEFORE THE ARIZONA CORPORATION COMMISSION

10 In the matter of:

11 RADICAL BUNNY, L.L.C., an Arizona
 12 limited liability company,

13 HORIZON PARTNERS, L.L.C., an
 14 Arizona limited liability company,

15 TOM HIRSCH (aka TOMAS N.
 16 HIRSCH) and DIANE ROSE HIRSCH,
 17 husband and wife;

18 BERTA FRIEDMAN. WALDER (aka
 19 BUNNY WALDER, a married person,

20 HOWARD EVAN WALDER, a
 21 married person,

22 HARISH PANNALAL SHAH and
 23 MADHAVI H. SHAH, husband and
 24 wife,
 25 Respondents.

DOCKET NO. S-20660A-09-0107

RESPONDENTS' REPLY ON MOTION FOR CONTINUANCE

Arizona Corporation Commission
DOCKETED
 FEB 18 2010
 DOCKETED BY [Signature]

26 1. The Securities Division correctly notes that nothing has been done to
 27 narrow the issues in this matter by dispositive motion or discovery. With the
 28 change in counsel, additional time is contemplated that both of those matters will

1 be addressed and both should have the effect of shortening, what at the moment is
2 a very long hearing.

3 2. Attached is consent of the remaining Respondents in the case. They
4 are more regarded as relief Respondents, but if there is a legal question about it,
5 we have now provided their signed consents. An order continuing the trial will
6 not be prejudice then.

7 3. The Security Division's motion deadline of March 15, 2010 is still
8 too onerous to meet. There is no reason such a quick turnaround should be
9 required. Undersigned counsel is confronted with many written statements, piles
10 of documents and substantial research left to do concerning both the facts and the
11 law related to the Security Division's claims. If the hearing could be set in the
12 summer months as requested, an April 30th motion deadline would give everyone
13 a fair shot at setting forth a cogent explanation of their position on the many issues
14 that might be resolved by a motion in this matter.
15

16 4. Finally, we agree that a motion deadline does not apply to a motion
17 for telephonic testimony or motions to limit or exclude evidence.

18 All of the Respondents request that the trial be continued to at least the
19 summer months and that the date for motions be reset.

20
21 DATED this 18th day of February, 2010.

22 **LAVELLE & LAVELLE, PLC**

23
24 By: 

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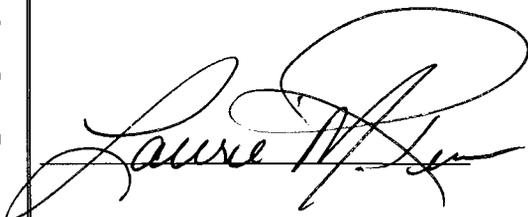
1 ORIGINAL and 13 COPIES filed this
2 18th day of February, 2010 with:

3 Docket Control
4 **ARIZONA CORPORATION COMMISSION**
5 Securities Division
6 1200 West Washington Street
7 Phoenix, Arizona 85007

8 COPY of the foregoing MAILED this
9 18th day of February, 2010 to:

10 Lyn Farmer
11 Chief Administrative Law Judge
12 **ARIZONA CORPORATION COMMISSION**
13 1200 West Washington
14 Phoenix, Arizona 85007

15 Julie Coleman
16 **ARIZONA CORPORATION COMMISSION**
17 Securities Division
18 1300 West Washington, Third Floor
19 Phoenix, Arizona 85007
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