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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

Arizona Corporation Commission

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

DOCKETED

MAY 17 2010

DOCKETED BY [Signature]

IN THE MATTER OF:

DOCKET NO. S-20708A-09-0499

LARRY ZIEGLER (aka Zig Ziegler), a single man;

TROY DEE TRUVILLION and JENIA
DIMITROVA, husband and wife; and

MOTION DNA, INC., a Nevada corporation,

Respondents.

SEVENTH
PROCEDURAL ORDER
(Vacates Hearing)

BY THE COMMISSION:

On October 20, 2009, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Temporary Order to Cease and Desist ("T.O.") and a Notice of Opportunity for Hearing ("Notice") against Larry Wayne Ziegler, Troy Dee Truvillion and Jenia Dimitrova, husband and wife, and Motion DNA, Inc. ("MDNA") (collectively "Respondents"), in which the Division alleged multiple violations of the Arizona Securities Act ("Act") in connection with the offer and sale of securities in the form of stock.

Respondent Troy Dee Truvillion was duly served with a copy of the Notice.

On November 2, 2009, a request for hearing was filed on behalf of Respondent Troy Dee Truvillion.

On November 9, 2009, by Procedural Order, a pre-hearing conference was scheduled on November 24, 2009.

On November 24, 2009, the Division and Respondent Truvillion appeared through counsel at the pre-hearing conference. The Division indicated that service had not yet been made on the other Respondents named in the proceeding. Counsel for Respondent Truvillion represented that he would accept service for Respondent Dimitrova, who had been named in the proceeding as Truvillion's wife. Respondent Truvillion's counsel indicated that he was attempting to resolve the issues raised

1 by the Notice with the Division and in the interim while the Division attempted to serve the other
2 Respondents, both he and the Division's attorney agreed that another pre-hearing conference be
3 scheduled in early February 2010. In response to a request by Respondent Truvillion's attorney, to
4 improve the possibility of settlement, the Division was directed to disclose the number of investors in
5 the offering, the dates and the amounts of their investments.

6 On November 30, 2009, by Procedural Order, a pre-hearing conference was scheduled on
7 February 4, 2010.

8 On December 1, 2009, service of the Notice on Respondent Dimitrova was made on counsel
9 for Respondent Truvillion as agreed at the pre-hearing conference.

10 On December 4, 2009, counsel for Respondent Truvillion and who had accepted service for
11 Respondent Dimitrova filed a Motion to Withdraw ("Motion") as counsel for Respondent Truvillion
12 alone. Counsel cited disclosure of the reason would violate attorney-client privilege. Counsel further
13 represented that he had apprised Respondent Truvillion of the pending pre-hearing conference and
14 provided the Commission with Respondent Truvillion's current address. No mention was made of
15 Respondent Dimitrova nor was there evidence of service of Counsel's Motion on Respondent
16 Dimitrova. At that time, a request for hearing had not yet been filed for Respondent Dimitrova.

17 On December 9, 2009, by Procedural Order, counsel was ordered to refile his Motion and to
18 clarify the status of his relationship with both Respondent Truvillion and Respondent Dimitrova prior
19 to a ruling being made on the Motion filed on December 4, 2009. All prior Orders remained in
20 effect.

21 On December 14, 2009, a request for hearing signed by Respondent Truvillion was filed by
22 Respondent Truvillion "as Power of Attorney" for Respondent Dimitrova. There is no indication that
23 Respondent Truvillion is licensed as an attorney in Arizona or in any other jurisdiction. Additionally,
24 he cannot legally authorize himself "as Power of Attorney" to represent Respondent Dimitrova. A
25 Power of Attorney is a document in which an individual, the principal or Ms. Dimitrova, in this case,
26 appoints another individual to act as an agent on the principal's behalf to perform certain tasks or
27 functions. Only Respondent Dimitrova can authorize someone to act on her behalf. Therefore,
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1 Respondent Truvillion cannot lawfully represent her and his representation violates Arizona law and
2 the Rules of the Arizona Supreme Court. If Respondent Dimitrova has been lawfully served she may
3 represent herself and request a hearing or she may retain a licensed attorney to represent her
4 consistent with Arizona law.

5 Further, on December 14, 2009, counsel filed a supplement to his Motion to Withdraw as
6 counsel for Respondent Truvillion and indicated that he did not represent Respondent Dimitrova
7 except to accept service of the Notice as a courtesy in the proceeding. It was unclear whether
8 Respondent Dimitrova had actually received a copy of the Notice.

9 On December 17, 2009, by Procedural Order, , the request for hearing filed by Respondent
10 Truvillion "as Power of Attorney" for Respondent Dimitrova was be denied, and Counsel's Motion to
11 Withdraw as the attorney for Respondent Truvillion was granted.

12 On February 4, 2010, the Division appeared through counsel and Respondent Truvillion
13 appeared on his own behalf. The Division's attorney indicated that the parties were attempting to
14 resolve the issues raised by the Notice and anticipated submitting a Consent Order for approval by
15 the Commission at its March 18, 2010, Open Meeting. The Division further requested that a status
16 conference be scheduled after March 18, 2010, in the event the Consent Order was not approved by
17 the Commission. Subsequently, by Procedural Order, a status conference was scheduled on March
18 30, 2010.

19 On March 30, 2010, the Division appeared through counsel at the status conference.
20 Respondent Truvillion failed to appear. Although counsel for the Division indicated that he was
21 attempting to settle the matter, he requested that a hearing be scheduled in the event a settlement did
22 not take place.

23 On April 1, 2010, by Procedural Order, a hearing was scheduled on May 19 and 20, 2010,
24 with respect to the remaining Respondents, Truvillion and Dimitrova.

25 On April 28, 2010, the Commission issued Decision No. 71684, a Default Order with respect
26 to Respondents Ziegler and MDNA.

27 On May 13, 2010, the Commission approved a Consent Order at their Open Meeting with
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1 respect to Respondents Truvillion and Dimitrova, and Staff filed a Motion to Vacate Hearing.

2 Accordingly, the hearing should be vacated.

3 IT IS THEREFORE ORDERED that the **hearing** scheduled on **May 19 and 20, 2010** is
4 hereby vacated.

5 DATED this 17th day of May, 2010.

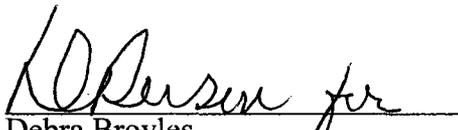
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MARC E. STERN
ADMINISTRATIVE LAW JUDGE

9 Copies of the foregoing mailed/delivered
10 this 17th day of May, 2010 to:

11 Troy Truvillion
12 1635 West Yellowstone Way
13 Chandler, AZ 85248

13 Matt Neubert, Director, Securities Division
14 ARIZONA CORPORATION COMMISSION
15 1300 West Washington Street
16 Phoenix, AZ 85007

17 ARIZONA REPORTING SERVICE, INC.
18 2200 North Central Avenue, Suite 502
19 Phoenix, AZ 85004-1481

20 By: 
21 Debra Broyles
22 Secretary to Marc E. Stern
23
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25
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27
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