

ORIGINAL



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Arizona Corporation Commission
DOCKETED

OCT 14 2010

DOCKETED BY	
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Attorneys for Respondents Tom Hirsch, Diane Rose Hirsch, Berta Walder, Howard Walder, Harish P. Shah, Madhavi H. Shah and Horizon Partners, LLC

BEFORE THE ARIZONA CORPORATION COMMISSION

10 In the matter of:

DOCKET NO. S-20660A-09-0107

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

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

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

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

21 HOWARD EVAN WALDER, a
22 married person,

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

Respondents.

**Acknowledgment of Possible
Conflicts**

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27 1. I understand that Michael J. LaVelle and Matthew K. LaVelle of the
 28 law firm of LaVelle & LaVelle, PLC but Horizon Partners, LLC, Tom Hirsch,

1 Diane Rose Hirsch, Berta Walder, Howard Walder, Harish Shah and Madhavi H.
2 Shah. I choose to be represented by members of this law firm, who represent
3 other parties in this proceeding, and am aware that a possible conflict of interest
4 may exist or may develop on the part of such counsel. That is to say that the facts
5 developed during this proceeding as revealed to such counsel may result in a
6 situation where counsel is required to choose between competing positions, with
7 the result that he or she may not be able to objectively represent both interests.

8 2. This is being brought to my attention solely to advise me of my right
9 to independent counsel of my own choosing, and is not intended by the petition to
10 dissuade me from engaging a particular attorney, nor do these comments directly
11 or indirectly or indirectly reflect upon the character or integrity of either Michael
12 J. LaVelle, Matthew K. LaVelle, or their law firm.

13 3. I am aware of the possible conflicts that may arise in connection with
14 this law firm representing me in this proceeding and investigation.

15 4. I unconditionally waive any and all such conflicts that may arise as a
16 result of the law firm's continued representation.

17 5. I still wish to be represented by this law firm.

18 6. I understand that my interests may suffer as a result of any findings
19 against my spouse and if I personally am found to have violated securities law my
20 property may suffer as well.
21

22
23 RESPECTFULLY SUBMITTED this 14 day of October, 2010.

24
25 By: 
26 BERTA WALDER
27
28

1 ORIGINAL and 13 COPIES filed this
2 6th day of October, 2010 with:
14

3 **ARIZONA CORPORATION COMMISSION**
4 Securities Division
5 1300 West Washington, Third Floor
6 Phoenix, Arizona 85007

7 COPIES of the foregoing HAND DELIVERED this
8 6th day of October, 2010 to:
14

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

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

19 Jordan A. Kroop
20 Thomas J. Salerno
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