

ORIGINAL



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

Arizona Corporation Commission

**DOCKETED**

OCT 14 2010

DOCKETED BY 

**BEFORE THE ARIZONA CORPORATION COMMISSION**

10 In the matter of:  
 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,  
 26 Respondents.

**DOCKET NO. S-20660A-09-0107**

**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, Ton 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           HARISH P. SHAH  
27  
28

1 ORIGINAL and 13 COPIES filed this  
2 6<sup>th</sup> 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 6<sup>th</sup> 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  
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22 Two Renaissance Square  
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