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1 James O. Ehinger – 009448

2 **JENNINGS, STROUSS & SALMON, P.L.C.** 2011 MAY 10 P 4: 36

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CORP COMMISSION
DOCKET CONTROL

8 Attorneys for Respondents

9 **BEFORE THE ARIZONA CORPORATION COMMISSION**

10 In the Matter of:

11 FRED OTTO BOHN and MARSHA BOHN,
12 Husband and wife,

13 CAPITAL OIL & GAS, LIMITED (a.k.a.
14 "CAPITAL OIL & GAS, LTD," f.k.a.
15 "OMNI PETROLEUM LIMITED"), a
16 dissolved United Kingdom corporation, and a
17 British Virgin Islands company,

18 Respondents.

DOCKET NO. S-20796A-11-0152

**MOTION TO CONTINUE PRE-
HEARING CONFERENCE**

Arizona Corporation Commission

DOCKETED

MAY 10 2011

DOCKETED BY

19 Respondents, Fred Otto Bohn, Marsha Bohn and Capital Oil & Gas, Ltd. hereby
20 respectfully request that the Pre-Hearing Conference scheduled to be held in this matter
21 on May 12, 2011, at 2:00 p.m., be vacated and continued to the next mutually-convenient
22 date available on the court's calendar.

23 This application is made on the grounds that Respondents' counsel, James O.
24 Ehinger, has a time conflict on that date. Mr. Ehinger represents defendants, Rinker
25 Materials Western, Inc., CEMEX Construction Materials South, LLC, and Quality Ready
26 Mix, Inc. in that certain action entitled *Kenneth D. Hunt v. Rinker Materials Western,
Inc., et al*, Maricopa County Case No. CV2008-093351, in which a court-ordered
Settlement Conference is scheduled to be held on May 12, 2011, that is expected to last
for the entire day. Therefore, Mr. Ehinger cannot be available for the pre-hearing
conference that has been schedule in this action during the afternoon of May 12, 2011.

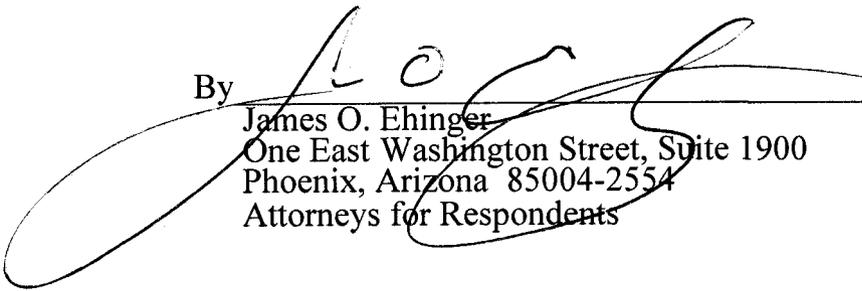
1 Respondents' counsel has discussed this time conflict with assigned counsel in the
2 Securities Division, Michael Dailey, and Mr. Dailey is agreeable with the postponement
3 sought hereby.

4 Therefore, Respondents respectfully requests that the currently-scheduled pre-
5 hearing conference be vacated, and that the court reschedule that pre-hearing conference
6 to be held on the next earliest, mutually-convenient date available on the court's calendar.

7 DATED this 5th day of May, 2011.

8 JENNINGS, STROUSS & SALMON, P.L.C.

9
10 By


11 James O. Ehinger
12 One East Washington Street, Suite 1900
13 Phoenix, Arizona 85004-2554
14 Attorneys for Respondents

15 ORIGINAL and 13 COPIES of the foregoing
16 hand-delivered 5th day of May, 2011, to:

17 Docket Control
18 Arizona Corporation Commission
19 1200 West Washington
20 Phoenix, AZ 85007

21 COPIES of same mailed to:

22 Lyn Farmer
23 Arizona Corporation Commission
24 1200 W. Washington
25 Phoenix, AZ 85007-2927

26 Matthew Neubert, Director
Securities Division
Arizona Corporation Commission
1300 W. Washington
Phoenix, AZ 85007

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

By Estel J Blackmore