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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

2011 MAY 31 P 4: 08

DOCKETED

MAY 31 2011

COMMISSIONERS:  
KRISTIN K MAYES – Chairman  
GARY PIERCE  
PAUL NEWMAN  
SANDRA D. KENNEDY  
BOB STUMP

AZ CORP COMMISSION  
DOCKET CONTROL

DOCKETED BY

Docket No. S-20600A-08-0340

IN THE MATTER OF: )  
MARK W. BOSWORTH and LISA A. )  
BOSWORTH, husband and wife; )  
STEPHEN G. VAN CAMPEN and DIANE V. )  
VANCAMPEN, husband and wife; )  
MICHAEL J. SARGENT and PEGGY L. )  
SARGENT, husband and wife; )  
ROBERT BORNHOLDT and JANE DOE )  
BORNHOLDT, husband and wife; )  
MARK BOSWORTH & ASSOCIATES, LLC, )  
An Arizona limited liability company; )  
3 GRINGOS MEXICAN INVESTMENTS, LLC; )  
An Arizona limited liability company )  
Respondents. )

RESPONDENTS MARK W. BOSWORTH,  
MARK BOSWORTH & ASSOCIATES, L.L.C. &  
3 GRINGOS MEXICAN INVESTMENTS, LLC  
LIST OF WITNESSES AND EXHIBITS  
AND EXPECTED TIMELINES FOR HEARINGS  
DATED 6/1/11 FROM RESPONDENT

Respondents hereby identify the witnesses and exhibits they may use at the hearing of this matter.

Respondents reserve the right to supplement this list and/or supplement any witnesses or documents and evidence deemed necessary or appropriate for cross-examination, rebuttal, new documents, or witnesses as received through normal scope of disclosure and any new information obtained in filings by any party.

I. WITNESSES.

I. ALL ACC witnesses that have testified to be made available for cross-examination to respondent Bosworth. It is critical respondent Bosworth is allowed to examine witnesses

1 provided by ACC PRIOR to the ACC resting it is case. Respondent Bosworth has extensive  
2 motions when state rests which cannot be properly heard if respondent has been denied equal  
3 and fair access to all witness.

- 4 2. ACC Special Investigator Michael Brokaw-I anticipates 12 to 14 hours of direct examination.  
5 The ACC refused prior access to Brokaw, which has greatly added to time necessary for this  
6 witness.
- 7 3. Respondent Stephen Garth VanCampen-anticipate 8-12 hours
- 8 4. Respondent Michael J. Sargent-anticipate less than 1 hour if he is still taking the 5<sup>th</sup>, 6-8  
9 hours if he is settling with the ACC. I have not been advised of any settlement.
- 10 5. ACC witness Ebanhack-1 hour
- 11 6. ACC witness Diane Bourbon
- 12 7. All other ACC witnesses not requested as of this time, subject to change before ACC rests its  
13 case. I will advise if this changes.
- 14 8. My understanding for the last 6 months is at this point the state is resting its case
- 15 9. My understanding is at this point Mr. Sabo will present his case-he estimated less than one  
16 full day
- 17 10. I am expecting to call the following witnesses, flexible in order to accommodate not being  
18 clear on their time on our part;
- 19 a. Matt Harward-former sales agent with MBA
  - 20 b. Travis Richey-investor,
  - 21 c. Ryan Lee-former sales agent with MBA
  - 22 d. Val Stringer-former sales agent with MBA
  - 23 e. Paul Herman- former sales agent with MBA
  - 24 f. Steven Manley-former employee HAPM
  - 25 g. Alan L Davis-VP HAPM/GORENTER
  - 26 h. Alan Bywater-former sales agent/employee MBA
- 27  
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- i. Leoda Bosworth-former employee/office manager(Mark's mother)
- j. Mindy Bosworth-former employee, (Mark's personal assistant and daughter)
- k. Jeffrey R Adams-former legal counsel and CPA for Bosworth

11. Not scheduled yet;

12. Sam Anselmo-former investor

13. Alan Halling-investor

14. Tracy Hollingsworth-former employee HAPM/MBA

15. Representative of Brewer Caldwell Property Management

16. Fred Richards-investor/former sales agent MBA

17. Any custodian of record

18. Any witnesses and/or investors to include those the Securities Division of the Arizona Corporation Commission (the "Division") identifies as potential witnesses in its still undisclosed List of Witnesses

19. Any witnesses listed at any time by any Respondent

20. Representative from State of Arizona Department of Real Estate

21. Representative(s) of Arizona Corporation Commission including all persons that participated in said investigation to include Julie Coleman.

## II. EXHIBITS.

1. Documents supplied in binders on January 31, 2011 are all expected to be used in hearing, while reserving the other following rights to documents the Securities Division has been aware of since May 3, 2010 listed below.
2. All documents/data in possession of Arizona Corporation Commission in this case.
3. All advertisements, literature, sales material, PowerPoint presentations etc associated in any way with seminars conducted by respondents.

- 1 4. All documents/data in possession of State of Arizona including the Arizona Department of  
2 Real Estate and Attorney General's Office to which the ACC has had access.
- 3 5. All documents Respondent Bosworth, MBA, 3 Gringos have attempted to disclose to ACC  
4 but refused by ACC including recent notices to Wendy Coy and Julie Coleman referring to  
5 emails including pictures of boxed documents sent to Aaron Ludwig formerly of the  
6 Division.
- 7 6. Transcripts and exhibits from any testimony in this matter including minutes of hearings.
- 8 7. All documents produced by Respondents or The Division.
- 9 8. All documents the Division received in response to any investigation or investigative  
10 subpoena or other subpoena.
- 11 9. All documents produced by the Division.
- 12 10. All documents the Division identifies as exhibits.
- 13 11. All correspondence between Respondents and Division.
- 14 12. All documents the Division obtained during the course of its investigation.
- 15 13. All memos/notes prepared or created as work product of investigators by the Division or any  
16 other agency including notes of any interviews conducted in this matter.
- 17 14. Any documents produced subsequent hereby by any party to this proceeding.
- 18 15. Arizona Corporation Commission Decision No. 71071 (Bank of America).
- 19 16. Arizona Corporation Commission Decision No. 70968 (Citigroup).
- 20 17. Arizona Corporation Commission Decision No. 71333 (Credit Suisse).
- 21 18. Arizona Corporation Commission Decision No. 71249 (Duetsche Bank).
- 22 19. Arizona Corporation Commission Decision No. 71278 (JP Morgan).
- 23 20. Arizona Corporation Commission Decision No. 71162 (Merrill Lynch).
- 24 21. Arizona Corporation Commission Decision No. 71425 (Morgan Stanley).
- 25 22. Arizona Corporation Commission Decision No. 71216 (RMC Capital).
- 26 23. Arizona Corporation Commission Decision No. 70896 (Wachovia).
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1 24. Securities and Exchange Commission v. W. J. Howey Co-328 U.S. 293 (decided May 27<sup>th</sup>,  
2 1946)

3  
4 RESPECTFULLY SUBMITTED this 31<sup>st</sup> day of May 2011.

5  
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