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BEFORE THE ARIZONA CORPORATION COMMISSION

2011 JUL 29 P 12:40

Arizona Corporation Commission

DOCKETED

JUL 29 2011

COMMISSIONERS

- GARY PIERCE, Chairman
- BOB STUMP
- SANDRA D. KENNEDY
- PAUL NEWMAN
- BRENDA BURNS

AZ CORP COMMISSION DOCKET CONTROL

DOCKETED BY [Signature]

In the matter of: )  
 MARK W. BOSWORTH and LISA A. )  
 BOSWORTH, husband and wife; )  
 STEPHEN G. VAN CAMPEN and DIANE V. )  
 VAN CAMPEN, 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, L.L.C., )  
 an Arizona limited liability company; )  
 3 GRINGOS MEXICAN INVESTMENTS, )  
 L.L.C., an Arizona limited liability company; )  
 Respondents. )

DOCKET NO. S-20600A-08-0340  
**SECURITIES DIVISION'S RESPONSE  
 TO RESPONDENT LISA  
 BOSWORTH'S MOTION FOR  
 CONTINUANCE**  
 AND  
**RESPONDENTS MICHAEL J.  
 SARGENT AND PEGGY L  
 SARGENT'S JOINDER IN LISA  
 BOSWORTH'S MOTION FOR  
 CONTINUANCE**

(Assigned to the Honorable Marc E. Stern)

On July 27, 2011, Respondent Lisa Bosworth filed a Motion to Continue the scheduled administrative hearing that is set to resume on August 1, 2011. On July 28, 2011, the Sargent Respondents filed a Joinder to Respondent Lisa Bosworth's Motion to Continue. The issues raised in Respondent Lisa Bosworth's Motion to Continue and the Sargent Respondents' Joinder were essentially addressed in the Securities Division's Response to Respondents Michael J. Sargent and Peggy L. Sargent's Motion to Continue filed on July 26, 2011.

Respondent Lisa Bosworth raised an issue that she was never notified that the consent had been withdrawn. The Securities Division did notify Respondent Lisa Bosworth. On August 23,

1 2010, the Securities Division filed a Motion to Set Hearing that detailed the reasons that the  
2 Bosworth Proposed Consent was withdrawn. A copy of the Motion to Set Hearing was sent to  
3 both Mark Bosworth and Lisa Bosworth at their addresses of record. Respondent Mark Bosworth  
4 obviously received the Motion to Set Hearing filed on August 23, 2010, by filing a response to it  
5 on September 27, 2010.

6 The Joinder filed by the Sargent Respondents renews their request to have a settlement  
7 judge appointed in this matter. The issue of a settlement judge has been briefed and, on March 4,  
8 2010, oral argument held.<sup>1</sup> At that time, all parties understood that until the Sargent Respondents  
9 met a specific condition, settlement was not an option. To date, that condition has not been met  
10 therefore, there would be no benefit to having a settlement conference at this time. *See* transcript of  
11 Status Conference dated March 4, 2010, and Eleventh Procedural Order dated March 5, 2010.

12 **Conclusion**

13 Respondent Lisa Bosworth has not provided any substantive reason to delay the  
14 administrative hearing scheduled to resume on August 1, 2011. Respondent Lisa Bosworth's  
15 Motion to Continue should be denied.

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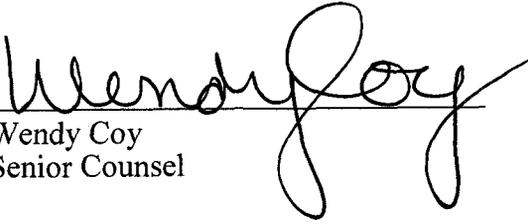
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25 <sup>1</sup> See February 19, 2010 Respondents Michael J. Sargent and Peggy L. Sargent's Motion to Set Settlement Conference  
26 and For the Appointment of a Settlement Judge; February 24, 2010 Response to Respondents Michael J. Sargent and  
Peggy L. Sargent's Motion to Set Settlement Conference and For the Appointment of a Settlement Judge; and  
Respondents Michael J. Sargent and Peggy L. Sargent's Reply to the Securities Division's Rejection of the Motion to  
Set Settlement conference and for the Appointment of a Settlement Judge.

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The Sargent Respondents have not complied with the required condition that would allow settlement to go forward therefore no settlement can be reached and the renewed request for a settlement conference and settlement judge should be denied.

RESPECTFULLY SUBMITTED this 29<sup>th</sup> day of July 2011.

ARIZONA CORPORATION COMMISSION  
SECURITIES DIVISION

  
Wendy Coy  
Senior Counsel

1 **ORIGINAL** and **8 COPIES** of the foregoing filed  
2 this 29<sup>th</sup> day of July 2011 with:

3 Docket Control  
4 Arizona Corporation Commission  
5 1200 W. Washington St.  
6 Phoenix, AZ 85007

7 **COPY** of the foregoing hand delivered  
8 this 29<sup>th</sup> day of July 2011 to:

9 The Honorable Marc E. Stern  
10 Hearing Division  
11 Arizona Corporation Commission  
12 1200 W. Washington St.  
13 Phoenix, AZ 85007

14 **COPY** of the foregoing mailed/e-mailed  
15 this 29<sup>th</sup> day of July 2011 to:

16 Timothy J. Sabo, Esq.  
17 Paul J. Roshka, Jr., Esq.  
18 ROSHKA DeWULF & PATTEN, PLC  
19 One Arizona Center  
20 400 E. Van Buren St., Ste. 800  
21 Phoenix, AZ 85004  
22 Attorneys for Michael J. Sargent and  
23 Peggy L. Sargent

24 Mark W. Bosworth  
25 18094 N. 100<sup>th</sup> St.  
26 Scottsdale, AZ 85255

Lisa A. Bosworth  
18094 N. 100<sup>th</sup> St.  
Scottsdale, AZ 85255

Mark Bosworth  
10115 E. Bell Road  
Scottsdale, AZ 85260

22 By: Vernice Sargent  
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