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 Attorneys for Respondents Bosworth

Arizona Corporation Commission
DOCKETED

SEP 13 2011

DOCKETED BY	
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BEFORE THE ARIZONA CORPORATION COMMISSION

In the Matter of:

MARK W. BOSWORTH and LISA A. BOSWORTH, husband and wife;

STEVEN 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, LLC, and Arizona limited liability company;

3 GRINGOS MEXICAN INVESTMENTS, LLC, an Arizona limited liability company;

Respondents.

Docket No. S-20600-A-08-0340

MOTION TO CONTINUE HEARING

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 AZ CORP COMMISSION
 DOCKET CONTROL

Pursuant to Rule R14-3-209, Corporation Commission Rules of Practice and Procedure, Respondents Mark and Lisa Bosworth, husband and wife, through their undersigned counsel, hereby move to continue the hearing in this matter currently set for October 17-21 and 24-28, 2011. Respondents move to continue because undersigned was only recently hired to represent

1 Respondents Bosworth who, until after the hearing had already begun and before Mr. Bosworth had
2 testified, were under the belief and impression that their participation in the hearing was unnecessary
3 in light of the Consent Order that they had signed and therefore they believed that they would not
4 need representation in these proceedings. However, as the State has withdrawn, and refused to
5 honor, the Consent Order despite full compliance therewith by Respondents Bosworth, said
6 Respondents now must mount a defense and they have retained undersigned to assist in that regard.
7

8 Undersigned estimates that it will take a considerable amount of time to adequately prepare
9 for Respondents' defense given the multitude of binders of exhibits that the State and Respondent
10 Sargent have offered already and which they still presumably will seek to offer as this case proceeds,
11 the multiple days of transcripts of prior testimony that must be reviewed (which transcript numbers
12 approximately 1,000 pages) and analyze and review of the entire docket to date. To a large extent,
13 the State is primarily at fault for the need for a continuance. Had the State done what it represented
14 to Respondents Bosworth that they would do and honor the Consent Order signed by Respondents
15 by securing timely Commission, we would not now be in a position of having to request a
16 continuance. However, the State pulled the proverbial rug out from under the Respondents placing
17 them in the awkward position of having to defend themselves mid-stream in these proceedings after
18 the State has largely completed its case. To say that the Respondents have been substantially
19 prejudiced by the manner in which this matter has proceeded is a monumental understatement and
20 the least that can be done at this juncture is allow Respondents and their counsel adequate time to
21 prepare for the hearing moving forward. Under the circumstances, a continuance is most certainly
22 appropriate and justified.
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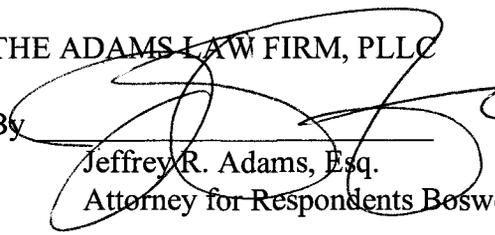
26 Undersigned has spoken with counsel for the State and they have indicated that they are not
27 in opposition to a continuance, especially since this matter was continued at one point in time to
28

1 allow Ms. Coy, counsel for the State, to prepare in light of Mr. Ludwig's withdrawal from the case.
2 Accordingly, Respondents Bosworth most certainly should be given the same consideration at this
3 juncture.

4 WHEREFORE, Respondents respectfully request a continue of not less than 60 days of the
5 scheduled trial dates.

6 Respectfully submitted this 9 day of September, 2011.

8 THE ADAMS LAW FIRM, PLLC

9 By 

10 Jeffrey R. Adams, Esq.

11 Attorney for Respondents Bosworth

12 Original of the foregoing sent via
13 First Class Mail and electronic
14 mail this 9 day of September, 2011 to:

15 Docket Control
16 Arizona Corporation Commission
17 1200 West Washington
18 Phoenix, Arizona 85007

19 Copy of the foregoing sent via
20 First Class Mail and electronic
21 mail this 9 day of September, 2011 to:

22 Mark E. Stern
23 Administrative Law Judge
24 Hearing Division
25 Arizona Corporation Commission
26 1200 West Washington
27 Phoenix, Arizona 85007

28 Wendy L. Coy, Esq.
Arizona Corporation Commission
Securities Division
1300 West Washington
3rd Floor
Phoenix, Arizona 85007-2929
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9 Attorney for Mark W. and Lisa A. Bosworth

7 **BEFORE THE ARIZONA CORPORATION COMMISSION**

8 In the Matter of:

Docket No. S-20600-A-08-0340

9 MARK W. BOSWORTH and LISA A.
10 BOSWORTH, husband and wife;

**ORDER ON MOTION TO
CONTINUE HEARING**

11 STEVEN G. VAN CAMPEN and DIANE
12 V. VAN CAMPEN, husband and wife;

13 MICHAEL J. SARGENT and PEGGY L.
14 SARGENT, husband and wife;

15 ROBERT BORNHOLDT and JANE DOE
16 BORNHOLDT, husband and wife;

17 MARK BOSWORTH & ASSOCIATES,
18 LLC, and Arizona limited liability
company;

19 3 GRINGOS MEXICAN INVESTMENTS,
20 LLC, an Arizona limited liability company;

21 Respondents.
22

23
24 Respondents, Mark and Lisa Bosworth, husband and wife, through their counsel having filed
25 their Motion To Continue Hearing and good cause appearing therefore;

26 IT IS NOW HEREBY ORDERED that the hearing in this matter currently set for October 17-
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1 21 and 24-28, 2011 is continued to _____

2 _____, 20__.

3 Dated: _____

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Administrative Law Judge