

ORIGINAL



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AZ CORP COMMISSION
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5 TIMOTHY J. GALLIGAN, ESQ. - California State Bar #92174
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9 Attorneys for Respondents DAVID PAUL SMOOT
10 and MARIE KATHLEEN SMOOT

Arizona Corporation Commission
DOCKETED

12 ARIZONA CORPORATIONS COMMISSION NOV 17 2011

13 STATE OF ARIZONA

DOCKETED BY

15	In the Matter of)	
16)	Docket No. S-20814A-11-313
17	DAVID PAUL SMOOT, MARIE)	
18	KATHLEEN SMOOT, NATIVE)	
19	AMERICAN WATER, LLC, dba)	DECLARAATION OF TIMOTHY J.
20	NATAWA, NATAWA CORPORATION,)	GALLIGAN IN SUPPORT OF
21	dba NATAWA AND AMERICAN)	MOTION, MOTION TO VACATE
22	INDIAN TECHNOLOGIES)	AND RESET PRE-HEARING
23	INTERNATIONAL, LLC, aka)	CONFERENCE DATE AND
24	AITI,)	PROPOSED ORDER
25	Respondents.)	

23 I, TIMOTHY J. GALLIGAN, ESQ. hereby declare:

24 1. I am over the age of 18, petition to vacate and
25 reset the date calendared for a pre-hearing conference in
26 this matter and have been admitted *pro hac vice* to co-
27

1 represent Respondents in this matter.

2 2. A Pre-Hearing Conference has been scheduled for
3 subject case on November 29, 2011.
4

5 3. For over a month, I have had scheduled business
6 meetings in Paris, France and held flight reservations on
7 United Airlines (Locator Number NDTX5T) at that time.

8 4. The Securities Division has consented to my
9 request to move the date of the conference to another time
10 convenient to all parties as memorialized by MICHAEL
11 DAILEY, ESQ. through his email confirmation of November 8,
12 2011.
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14 5. The Hearings Division was apprised of this
15 conflict immediately after the undersigned received notice
16 of the hearing date.
17

18 6. The undersigned has consulted the attorneys and
19 Respondents for this matter and all dates are open for all
20 parties in January with the exception of the following:
21 January 2 through 6, 12, 19, 20, 23, 27, 30.
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23 7. The undersigned respectfully requests that the
24 date of the Pre-Hearing Conference be reset to any other
25 available date in January.
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I declare under penalty of perjury under the laws of the State of Arizona that the forgoing is true and correct.

DATED: November 14, 2011.


TIMOTHY J. GALLIGAN, ESQ.

IT IS SO ORDERED:

Dated: _____

ALJ MARC E. STERN

PROOF OF SERVICE BY MAIL

I, Timothy J. Galligan, declare:

I am over the age of eighteen years and not a party to the within cause; my business address is the Law Offices of Timothy J. Galligan, 5 Borealis Way Castle Rock, CO 80108.

On November 14, 2011, I served the within Respondents' Notice of Motion, Declaration in Support of and Motion to Vacate and Reset the Pre-Hearing Conference Date and a Proposed Order by mailing an original copy to:

William W. Black, Esq.
Arizona Corporations Commission - Securities Division
1300 West Washington - Third Floor
Phoenix, AZ 85007

Michael D. Kimerer, Esq.
221 East Indianola Ave.
Phoenix, AZ 85012

I declare that I am readily familiar with the business practices of the Law Offices of Timothy J. Galligan for the service of process and the collection and processing of documents for mailing with the U. S. Postal Service. Documents so collected and processed are placed for collection and deposit with the U. S. Postal Service that same day in the ordinary course of business. The above-referenced documents were placed in a sealed envelope with postage thereon fully prepaid, addressed to each of the listed parties and such envelope was deposited with the U. S. Postal Service on the date indicated below.

I declare under the penalty of perjury under the laws of the State of Arizona that the foregoing is true and correct and that this declaration was executed on November 14, 2011, at Castle Rock, CO.


TIMOTHY J. GALLIGAN