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0000134278

Chief Administrative Law Judge

ORIGINAL

ARIZONA CORPORATION COMMISSION

February 14, 2012

Timothy J. Galligan, Esq.
5 Borealis Way
Castle Rock, CO 80108

Re: David Paul Smoot, Marie Kathleen Smoot, Native American Water, LLC dba Natawa, Natawa Corporation, dba Natawa and American Indian Technologies International, LLC aka AITI Docket No. S-20814A-11-0313

Mr. Galligan,

The Hearing Division is in receipt of your February 9, 2012 letter and documents mailed to Administrative Law Judge ("ALJ") Marc Stern. Arizona Supreme Court Rule 38(a)(2) provides that the "name of local counsel shall appear on all notices, orders, pleadings, and other documents filed in the cause" and therefore, pursuant to that rule, these documents are being returned to you so that you may include the name of the local counsel you have associated with in this matter.

In addition, Rule 38(a)(2) requires that "[l]ocal counsel associating with a nonresident attorney in a particular cause shall accept joint responsibility with the nonresident attorney to the client, and to the court, board, or administrative agency in that particular cause." Your statement on page 3 of your letter to ALJ Stern indicating that co-counsel was not "joining in this effort," is in conflict with this requirement.

Please review and comply with the requirements contained in Rule 38 if you desire to pursue the issues raised in your letter and documents. Any such filing should be made with Docket Control.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lyn Farmer".

Lyn Farmer
Chief Administrative Law Judge
Hearing Division
Arizona Corporation Commission

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w/Enclosures

cc:

Robert Mitchell, w/o Enclosures
Michael D. Kimerer, w/o Enclosures
Matt Neubert, w/o Enclosures