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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

2012 DEC 21 P 3:09

AZ CORP COMMISSION
DOCKET CONTROL

In the matter of:

ANDREW C. MENICHINO, an married individual,
INNOVATIVE CONSTRUCTION, INC., a Pennsylvania Corporation, and
ATLANTIC LEXUS, LTD, a Turks and Caicos Corporation,

Respondents.

DOCKET NO. S-20839A-12-0083

RESPONDENTS' SUPPLEMENTAL MOTION TO ALLOW TELEPHONIC TESTIMONY

Respondents Andrew C. Menichino; Innovative Construction, Inc.; and Atlantic Lexus, Ltd. (collectively "Respondents"), through undersigned counsel, hereby respectfully submit this supplement to their Motion to Allow Telephonic Testimony (the "Motion"). Since the filing of the Motion, the undersigned learned that Mr. Forgues recently renewed his passport and therefore has a current passport. Such renewal, however, does not render Respondents' Motion moot as neither Respondents nor the Commission have power to compel Mr. Forgues to travel to the United States and any travel for such a short time to give testimony would impose an undue burden.

Accordingly and for the other reasons stated in their Motion, Respondents respectfully request that Mr. Forgues be allowed to testify telephonically.

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Arizona Corporation Commission

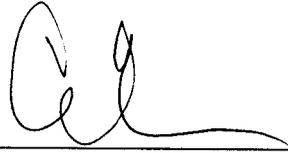
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1 RESPECTFULLY SUBMITTED this 27th day of December, 2012.

2 BADE BASKIN RICHARDS PLC

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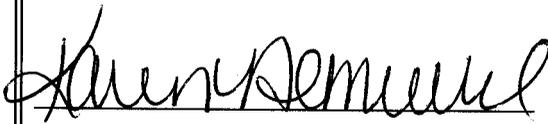
4 By _____
5 Alan S. Baskin
6 Alexandra Mijares Nash
7 Attorneys for Respondents

8 ORIGINAL and thirteen copies of the foregoing
9 filed this 27th day of December, 2012 with:

10 Docket Control
11 Arizona Corporation Commission
12 1200 West Washington Street
13 Phoenix, AZ 85007

14 COPY of the foregoing hand-delivered
15 this 27th day of December, 2012 to:

16 Matthew J. Neubert
17 Paul Huynh
18 Director of Securities
19 Securities Division
20 Arizona Corporation Commission
21 1300 W. Washington Street, 3rd Floor
22 Phoenix, AZ 85007

23 

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