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ARIZONA CORP COMMISSION
DOCKET CONTROL

Brian J. Schulman, SBN 015286
Attorneys for Respondent Patrick Shudak

BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

DOCKETED

MAY 10 2013

COMMISSIONERS

BOB STUMP, Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH

DOCKETED BY

In the matter of:

PATRICK LEONARD SHUDAK, a single man,
PROMISE LAND PROPERTIES, LLC, an Arizona
limited liability company,

and

PARKER SKYLAR & ASSOCIATES, LLC, an
Arizona limited liability company,

Respondents.

DOCKET NO. S-20859A-12-0413

**NOTICE OF WITHDRAWAL AS
COUNSEL FOR PROMISE LAND
PROPERTIES, LLC AND REQUEST
TO CONTINUE HEARING**

Undersigned counsel hereby provides notice of withdrawing as counsel for respondent Promise Land Properties, LLC ("Promise Land") for the reasons set forth herein. For the same reasons, respondent Patrick Shudak ("Shudak") seeks a continuance of the hearing currently set to begin on June 17, 2013.

On November 26, 2012, undersigned counsel filed an answer in this proceeding on behalf of respondents Mr. Shudak and Promise Land.

On May 1, 2013, the Securities Division (the "Division") served its witness and exhibit list. Included with its list of exhibits is "An Agreement of Absolute Transfer and Assignment," dated April 1, 2010 (the "Assignment"). The Assignment purports to assign all of Mr.

1 Shudak's interest in Promise Land to an investor, Alvin E. Henderson. (The Assignment also
2 transfers Roger Keller's interest in Promise Land to Mr. Henderson.)

3 Undersigned counsel did not know the Assignment existed before the Division
4 produced it, and Mr. Shudak did not recall signing it until he saw it among the Division's
5 exhibits. Undersigned counsel's representation of Promise Land was based on the reasonable,
6 but apparently false, belief that Mr. Shudak was still a member of Promise Land. Undersigned
7 counsel also contacted Mr. Keller before appearing on behalf of Promise Land. Mr. Keller
8 indicated he had no objections to the representation, but did not mention the Assignment.
9 Since Mr. Shudak apparently had no interest in Promise Land as of April 1, 2010, he
10 unwittingly did not have any authority to engage undersigned counsel to represent Promise
11 Land.

12 Based on the foregoing, undersigned counsel advises this tribunal that it is withdrawing
13 its purported appearance on behalf of Promise Land.

14 What makes these newly disclosed revelations most troubling is that the Division
15 obviously had a copy of the Assignment before it served its witness and exhibit list, yet the
16 Division did not alert undersigned counsel to these issues. In fact, Mr. Shudak served
17 discovery requests on the Division seeking, among other things, the Division's documentation
18 concerning Promise Land. The Division refused to produce any of the requested documents,
19 and this tribunal recently denied Mr. Shudak's discovery requests.

20 This new information casts this proceeding in a most unusual light. The Division has
21 named three respondents. The two corporate respondents are entities that for some time have
22 been owned and operated by the investors on whose behalf the Division seeks to recover
23 restitution. Thus, the Division effectively is seeking restitution for and against these same
24 investors.

25 Due to these new developments, and to sort out precisely what issues and parties are
26 still part of this case, Mr. Shudak also requests a continuance of the hearing scheduled to begin
27 on June 17, 2013.

LAW OFFICES
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DATED this 10th day of May, 2013.

GREENBERG TRAURIG, LLP

By: 
BRIAN J. SCHULMAN
Attorneys for Respondent Patrick Shudak

ORIGINAL and 13 copies of
the foregoing hand-delivered on this
10th day of May, 2013 to:

Docket Control
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, AZ 85007

COPY of the foregoing hand-delivered
on this 10th day of May, 2013 to:

Marc Stern
Administrative Law Judge
Arizona Corporation Commission/Hearing Division
1200 W. Washington Street
Phoenix, AZ 85007

COPY of the foregoing emailed/mailed
on this 10th day of May, 2013 to:

Matthew J. Neubert, Director
Ryan Millecam
Arizona Corporation Commission
Securities Division
1300 West Washington Street, 3rd Floor
Phoenix, AZ 85007

