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RECEIVED

2013 JUL 10 A 11:44

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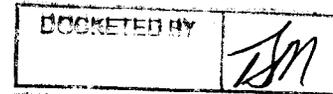
AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

JUL 10 2013

Attorneys for Respondents
Chris Dean Dedmon, Kimberly Dedmon,
and SDC Montana Consulting, LLC



BEFORE THE ARIZONA CORPORATION COMMISSION

In the matter of:

DOCKET No.: S-03479A-12-0360

CHRISTOPHER DEAN DEDMON
CRD#3015575 and KIMBERLY DEDMON,
husband and wife,

ROBERT R. COTTRELL (a.k.a "ROB
COTTRELL"),

SDC MONTANA CONSULTING, LLC (a.k.a.,
d.b.a., a.b.n. "SDC MONTANA" and "SDC
MONTANA OIL & GAS EXPLORATION"),
an Arizona limited liability company,

RSC ADVENTURES LLC, an Arizona limited
liability company,

Respondents.

**REQUEST FOR IMMEDIATE
RULING ON MOTION TO COMPEL
COMPLIANCE WITH
ADMINISTRATIVE SUBPOENA
DUCES TECUM**

Respondents Chris D. Dedmon, Kimberly Dedmon and SDC Montana Consulting, LLC
(collectively "Respondents") request an immediate ruling regarding the Motion to Compel
Compliance with Administrative Subpoena Duces Tecum filed on June 13, 2013.

1 **I. DISCUSSION.**

2 On June 13, 2013, Respondents filed a Motion to Compel seeking an order compelling
3 Clear Energy's compliance with a subpoena issued by the Commission on February 19, 2013.
4 The motion detailed Clear Energy's complete lack of responsiveness and failure to produce
5 virtually all of the information subpoenaed, thereby preventing Mr. Dedmon from attempting to
6 resolve his dispute with the Commission and repaying investors. Clear Energy was to respond
7 by July 2, 2013.

8 Clear Energy's response to the Motion to Compel has been the same as its response to
9 the subpoena; it has done nothing. To date, Clear Energy has failed to respond to the motion or
10 produce any documents. In yet another exercise of extreme good faith, Respondents e-mailed
11 counsel on July 8, 2013 demanding the production of the documents, or at least, a response to
12 the subpoenas by the end of the day on July 9. (July 8, 2013 e-mail from Alan Baskin to J.
13 Daryl Dorsey; attached hereto as Exhibit A.) No documents or response were forthcoming.
14 Instead, late in the afternoon of July 9, Clear Energy's counsel emailed Respondents counsel.
15 (July 9, 2013 e-mail from J. Daryl Dorsey to Alan Baskin; attached hereto as Exhibit B.) In its
16 entirety the email reads as follows, "I do anticipate a response by tomorrow." Not surprisingly,
17 Respondents had not received anything as of the time this Request was provided to the courier
18 for filing.

19 Respondents cannot wait any longer, nor should the Commission, regardless of whether
20 Clear Energy files a response today or any other day. The Commission should not tolerate such
21 blatant disregard of its subpoenas. Respondents ask the Commission to immediately order:

- 22 1. That Clear Energy is in contempt of the Commission's subpoena;
- 23 2. That Clear Energy produce all documents responsive to the subpoena no
24 later than July 15, 2013;
- 25 3. That Respondents' counsel are entitled to an award of attorneys' fees
26 incurred in connection with the subpoena, and are to submit a fee
27 application; and
4. Any other relief the Commission deems appropriate.

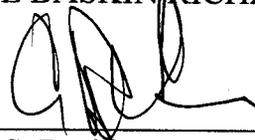
1 Respondents request an immediate ruling. Given that Clear Energy failed to timely
2 respond to the Motion to Compel or take seriously its obligation to comply with Commission
3 subpoenas no reason exists for more delay; Respondents have already waited far too long.

4
5 DATED this 10th day of July, 2013.

6 THE BENTLEY LAW FIRM, P.C.
7 Burton M. Bentley
8 5333 N. 7th Street, Suite C-121
9 Phoenix, Arizona 85014

10 AND

11 BADE BASKIN RICHARDS PLC

12 

13 _____
14 Alan S. Baskin
15 80 E. Rio Salado Parkway, Suite 511
16 Tempe, Arizona 85281

17 Attorney for Respondents
18 Chris Dean Dedmon, Kimberly Dedmon, and SDC
19 Montana Consulting, LLC

20 Original and thirteen (13) copies filed
21 this 10th day of July, 2013, with:

22 Docket Control
23 Arizona Corporation Commission
24 1200 West Washington
25 Phoenix, Arizona 85007
26
27

1 COPY of the foregoing hand-delivered
this 10th day of July, 2013 to:

2 Hearing Officer
3 Hearing Division
4 Arizona Corporation Commission
1200 W. Washington
5 Phoenix, AZ 85007

6 COPY of the foregoing mailed
7 this 10th day of July, 2013 to:

8 J. Daryl Dorsey
9 TIFFANY & BOSCO, P.A.
Camelback Esplanade II, Third Floor
10 2525 E. Camelback Road
11 Phoenix, AZ 85016-9240
Attorney for Clear Energy Systems, Inc.

12 Ryan J. Millecam
13 Securities Division
14 Arizona Corporation Commission
1300 W. Washington, 3rd Floor
15 Phoenix, AZ 85007

16 
17 _____

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EXHIBIT A

Alan Baskin

From: Alan Baskin
Sent: Monday, July 08, 2013 3:16 PM
To: J. Daryl Dorsey
Cc: Burton M. Bentley; Rosemarie Connell; Cristina McDonald (cmcDonald@bbrplc.com)
Subject: Clear Energy subpoena

Daryl

Clear Energy was to respond to our motion to compel on or before July 2. To date we have received neither a response nor any additional documents. Please advise ASAP if your client intends to produce the subpoenaed documents or respond to the motion. If we do not hear from you by 5 p.m. tomorrow we will proceed accordingly.

Thanks

Alan

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EXHIBIT B

Alan Baskin

From: J. Daryl Dorsey
Sent: Tuesday, July 09, 2013 4:26 PM
To: Alan Baskin
Subject: RE: Clear Energy subpoena

I do anticipate a response by tomorrow.

From: Alan Baskin [<mailto:alan@bbrplc.com>]
Sent: Monday, July 08, 2013 3:16 PM
To: J. Daryl Dorsey
Cc: Burton M. Bentley; Rosemarie Connell; Cristina McDonald
Subject: Clear Energy subpoena

Daryl

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Thanks

Alan

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