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BEFORE THE ARIZONA CORPORATI

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COMMISSIONERS

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

ORIGINAL

RECEIVED
AZ CORP COMMISSION
DOCKET CONTROL

2014 MAY 5 PM 3 48

In the matter of:

CONCORDIA FINANCING COMPANY, LTD,
a/k/a "CONCORDIA FINANCE,"

ER FINANCIAL & ADVISORY SERVICES,
LLC,

LANCE MICHAEL BERSCH, and

DAVID JOHN WANZEK and LINDA
WANZEK, husband and wife,

Respondents.

Docket No. S-20906 A-14-0063

**NOTICE OF FILING
ACKNOWLEDGMENTS OF
POSSIBLE CONFLICTS**

Arizona Corporation Commission

DOCKETED

MAY 05 2014

DOCKETED BY 

Respondents, ER Financial & Advisory Services, LLC, Lance Michael Bersch, David John Wanzek and Linda Wanzek, ("collectively, the "RDP" Represented Parties") file signed Acknowledgements of Possible Conflicts regarding this matter. The signed acknowledgements are attached as Exhibits 1- 4.

RESPECTFULLY SUBMITTED this ^{5th} day of May 2014.

ROSHKA DEWULF & PATTEN, PLC

By 

Paul J. Roshka
Timothy J. Sabo
One Arizona Center
400 East Van Buren Street, Suite 800
Phoenix, Arizona 85004

ROSHKA DEWULF & PATTEN, PLC
ONE ARIZONA CENTER
400 EAST VAN BUREN STREET - SUITE 800
PHOENIX, ARIZONA 85004
TELEPHONE NO 602-256-6100
FACSIMILE 602-256-6800

1 Original + 13 copies of the foregoing
2 filed this ~~5~~⁴ day of May 2014, with:

3 Docket Control
4 Arizona Corporation Commission
5 1200 West Washington
6 Phoenix, Arizona 85007

7 Copies of the foregoing hand-delivered/mailed
8 this ~~5~~⁴ day of May 2014, to:

9 Lyn A. Farmer, Esq.
10 Chief Administrative Law Judge
11 Hearing Division
12 Arizona Corporation Commission
13 1200 West Washington
14 Phoenix, Arizona 85007

15 Matthew Neubert, Director
16 Securities Division
17 Arizona Corporation Commission
18 1300 West Washington, 3rd Floor
19 Phoenix, Arizona 85007

20 Alan S. Baskin, Esq.
21 David E. Wood, Esq.
22 Baskin Richards PLC
23 80 East Rio Salado Parkway, Suite 511
24 Tempe, Arizona 85281

25
26
27
By 

Exhibit
"1"

1 **COMMISSIONERS**
2 BOB STUMP, Chairman
3 GARY PIERCE
4 BRENDA BURNS
5 BOB BURNS
6 SUSAN BITTER SMITH

7
8 **BEFORE THE ARIZONA CORPORATION COMMISSION**

9 In the matter of:

10 CONCORDIA FINANCING COMPANY, LTD,
11 a/k/a "CONCORDIA FINANCE,"

12 ER FINANCIAL & ADVISORY SERVICES,
13 LLC,

14 LANCE MICHAEL BERSCH, and

15 DAVID JOHN WANZEK and LINDA
16 WANZEK, husband and wife,

17 Respondents.

Docket No. S-20906 A-14-0063

**ACKNOWLEDGEMENT OF
POSSIBLE CONFLICTS BY
ER FINANCIAL & ADVISORY
SERVICES, LLC**

18 DAVID JOHN WANZEK, Member of ER FINANCIAL & ADVISORY SERVICES, LLC
19 ("ER FINANCIAL"), acknowledges the following:

20 1. ER FINANCIAL's attorneys in this matter are Paul J. Roshka, Jr. and Timothy J.
21 Sabo of the Law Firm of Roshka, DeWulf, & Patten, PLC ("RDP"). RDP represents the following
22 Respondents in this matter: ER Financial and Advisory Services, LLC, Lance Michael Bersch,
23 David John Wanzek, and Linda Wanzek (collectively, the "RDP Represented Parties").

24 2. I understand that there is a possibility that a conflict could occur. For example,
25 circumstances could arise under which the course of action most advantageous to one of the RDP
26 Represented Parties might not be the course of action most advantageous to the others.

27 3. I understand a lawyer cannot represent more than one party in a matter unless the
lawyer believes the representation will not adversely affect the relationship with the other client or

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1 clients and each client consents after consultation. I have been aware of this from the inception of
2 the joint representation.

3 4. I understand that multiple representation situations have both advantages and
4 disadvantages. For example, there may be disagreement regarding strategy. One party may want
5 to pursue one approach to an issue, while another may oppose it. There could also be
6 disagreement with regard to settlement options. One party may wish to settle, another may be
7 opposed to it. There could be disagreement between the parties as to the amount that should be
8 paid in connection with the settlement. I have been aware of this from the inception of the joint
9 representation.

10 5. I understand that if a dispute occurs between the other RDP Represented Parties
11 and me, and if the parties cannot resolve the dispute among themselves, RDP may resign from
12 representing some of the RDP Represented Parties. In that case, RDP will be able to continue its
13 representation of the other RDP Represented Parties and the attorney-client privilege shall
14 continue to protect pre-resignation communications with all parties.

15 6. I have the right to retain separate counsel or to retain independent counsel to advise
16 me separately with respect to this matter, or any aspect of it.

17 7. I have previously consented, and consent now, to the joint representation of the
18 RDP Represented Parties by RDP.

19 DATED this 2 day of May, 2014.

21 ER FINANCIAL & ADVISORY SERVICES, LLC

22 
23 By David John Wanzek
24 Its Member

Exhibit

"2"

1 COMMISSIONERS
2 BOB STUMP, Chairman
3 GARY PIERCE
4 BRENDA BURNS
5 BOB BURNS
6 SUSAN BITTER SMITH

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BEFORE THE ARIZONA CORPORATION COMMISSION

In the matter of:

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ER FINANCIAL & ADVISORY SERVICES,
LLC,

LANCE MICHAEL BERSCH, and

DAVID JOHN WANZEK and LINDA
WANZEK, husband and wife,

Respondents.

Docket No. S-20906 A-14-0063

ACKNOWLEDGEMENT OF
POSSIBLE CONFLICTS BY
LANCE MICHAEL BERSCH

LANCE MICHAEL BERSCH, acknowledges the following:

1. My attorneys in this matter are Paul J. Roshka, Jr. and Timothy J. Sabo of the Law Firm of Roshka, DeWulf, & Patten, PLC ("RDP"). RDP represents the following Respondents in this matter: ER Financial and Advisory Services, LLC, Lance Michael Bersch, David John Wanzek, and Linda Wanzek (collectively, the "RDP Represented Parties").

2. I understand that there is a possibility that a conflict could occur. For example, circumstances could arise under which the course of action most advantageous to one of the RDP Represented Parties might not be the course of action most advantageous to the others.

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16 me separately with respect to this matter, or any aspect of it.

17 7. I have previously consented, and consent now, to the joint representation of the
18 RDP Represented Parties by RDP.

19 DATED this 1 day of MAY, 2014.

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LANCE MICHAEL BERSCH

Exhibit
"3"

1 **COMMISSIONERS**
2 BOB STUMP, Chairman
3 GARY PIERCE
4 BRENDA BURNS
5 BOB BURNS
6 SUSAN BITTER SMITH

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8 **BEFORE THE ARIZONA CORPORATION COMMISSION**

9 In the matter of:

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12 ER FINANCIAL & ADVISORY SERVICES,
13 LLC,

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15 DAVID JOHN WANZEK and LINDA
16 WANZEK, husband and wife,

17 Respondents.

Docket No. S-20906 A-14-0063

**ACKNOWLEDGEMENT OF
POSSIBLE CONFLICTS BY
DAVID JOHN WANZEK**

18 DAVID JOHN WANZEK, acknowledges the following:

19 1. My attorneys in this matter are Paul J. Roshka, Jr. and Timothy J. Sabo of the Law
20 Firm of Roshka, DeWulf, & Patten, PLC ("RDP"). RDP represents the following Respondents in
21 this matter: ER Financial and Advisory Services, LLC, Lance Michael Bersch, David John
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19 DATED this 2 day of May, 2014.

21 
22 DAVID JOHN WANZEK

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Exhibit

"4"

1 **COMMISSIONERS**
2 BOB STUMP, Chairman
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8 **BEFORE THE ARIZONA CORPORATION COMMISSION**

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14 LANCE MICHAEL BERSCH, and

15 DAVID JOHN WANZEK and LINDA
16 WANZEK, husband and wife,

17 Respondents.

Docket No. S-20906 A-14-0063

**ACKNOWLEDGEMENT OF
POSSIBLE CONFLICTS BY
LINDA WANZEK**

18 LINDA WANZEK, acknowledges the following:

19 1. My attorneys in this matter are Paul J. Roshka, Jr. and Timothy J. Sabo of the Law
20 Firm of Roshka, DeWulf, & Patten, PLC ("RDP"). RDP represents the following Respondents in
21 this matter: ER Financial and Advisory Services, LLC, Lance Michael Bersch, David John
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19 DATED this 2 day of May, 2014.

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22 
23 LINDA WANZEK
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