

ORIGINAL

S. 20897A-13-0391

Marc Stern



From: Wendy Coy
Sent: Tuesday, July 14, 2015 8:00 AM
To: Marc Stern
Cc: Kentmaerki@gmail.com
Subject: FW: CV2010-032209-926-06152015.docx Request to Postpone Hearing

Judge Stern -

I received this last night after 5:00. I wanted you to be aware of the situation before the start of the hearing this morning.

Wendy Coy

Arizona Corporation Commission

DOCKETED

JUL 14 2015

Wendy Coy

Senior Counsel
Arizona Corporation Commission
Securities Division
1300 W. Washington, 3rd Floor
Phoenix, Arizona 85007
(602)542-0633

DOCKETED BY MUB

RECEIVED
2015 JUL 14 A 9:24
AZ CORP COMMISSION
DOCKET CONTROL

From: Kent Maerki [mailto:kentmaerki@gmail.com]
Sent: Monday, July 13, 2015 5:11 PM
To: James T. "Skip" Acuff
Cc: Marcina Lutz - SUPCRTX; Thomas Lordan; Tom Littler; Lance R. Broberg; Hale, Brandon; Rodgers, Scott; mchester@cslawyers.com; rhouser@cslawyers.com; Terrie DeDecker - SUPCRTX; rob.somers@smartcommllc.com; Christine Ferreira; emailkentmaerki@gmail.com; Laura Nelson - COSCX; Wendy Coy; Karen Houle
Subject: Re: CV2010-032209-926-06152015.docx Request to Postpone Hearing

All:

I am in a hearing with the AZCC from Monday through Thursday (each week) beginning July 13 and ending July 30 (estimated).

Judge Stern stated he would adjourn on Tuesday at noon to accommodate my attendance with Judge Anderson for Argument on Tuesday, July 14, 2015 at 1:30 p.m.

However, that date is being requested to be changed at the last moment.

With this late notice, I would prefer not to inconvenience the AZCC Court with a change.

May we have the hearing on Friday or on Tuesday with another Smartcomm attorney?

Kent

Kent Maerki
KentMaerki@gmail.com

On Mon, Jul 13, 2015 at 2:14 PM, James T. "Skip" Acuff <JamesA@wb-law.com> wrote:

Dear Ms. Lutz,

Smartcomm respectfully asks for this hearing to be postponed for a few days due to the fact that Mr. Lordan has taken ill. It is doubtful that he will be able to participate in tomorrow's hearing. Mr. Lordan is lead counsel and the author of the Motion for Leave to File Second Amended Complaint and the Responses to the Maerki motions, and Smartcomm desires to have Mr. Lordan represent it at oral argument. We apologize to the Court and the other parties for the late notice and the inconvenience of re-scheduling the hearing. We sincerely appreciate your understanding.

Yours truly,

James T. 'Skip' Acuff

Wilenchik & Bartness, PC

The Wilenchik & Bartness Building

2810 North Third Street

Phoenix, Arizona 85004

602-606-2810

jamesa@wb-law.com



www.wb-law.com

James T. "Skip" Acuff

JamesA@wb-law.com

The Wilenchik & Bartness Building
2810 North Third Street
Phoenix, Arizona 85004
P 602-606-2810 | F 602-606-2811

ATTORNEY/CLIENT COMMUNICATION

The information transmitted by this e-mail is intended only for the addressee and may contain confidential and/or privileged material. Any interception, review, retransmission, dissemination or other use of this information by persons or entities other than the intended recipient is prohibited by law and may subject them to criminal or civil liability. If you received this communication in error, please contact us immediately at (602) 606-2810, and delete the communication from any computer or network system.

From: Marcina Lutz - SUPCRTX [mailto:lutzm@superiorcourt.maricopa.gov]
Sent: Friday, July 10, 2015 3:54 PM
To: Thomas Lordan; 'Tom Littler'; 'Lance R. Broberg'; 'Hale, Brandon'; 'Rodgers, Scott'; 'mchester@cslawyers.com'; 'rhouser@cslawyers.com'; Terrie DeDecker - SUPCRTX; 'rob.somers@smartcommllc.com'; James T. "Skip" Acuff; Christine Ferreira; 'emailkentmaerki@gmail.com'; Marcina Lutz - SUPCRTX; Laura Nelson - COSCX
Cc: 'kentmaerki@gmail.com'
Subject: RE: CV2010-032209-926-06152015.docx

Good afternoon,

Argument will also be heard on the following motions:

- Maerki Defendants' Statement RE: Superior Court's Jurisdiction Divested by Perfected Appeal, filed *04/14/2015, and 05/22/2015;*
- Plaintiffs' Bench Memorandum RE: Court's Continuing Jurisdiction over Kent Maerki and Norma Jean Coffin, filed *05/28/15*

This will be in addition to (mentioned below) Plaintiff's Motion for Leave to file and Serve Verified Second Amended Complaint for Injunctive Relief and Damages, *filed 03/30/15* set for ***Oral Argument on Tuesday, July 14, 2015 at 1:30 p.m. (30M) before Judge Anderson.***

Thank you,

Marni

Marcina Lutz

JA to Judge Arthur T. Anderson

East Court Building, Courtroom 511

PH: 602-506-0341

FX: 602-372-0870

From: Marcina Lutz - SUPCRTX

Sent: Friday, July 10, 2015 9:29 AM

To: 'Thomas Lordan'; 'Tom Littler'; 'Lance R. Broberg'; 'Hale, Brandon'; 'Rodgers, Scott'; 'mchester@cslawyers.com'; 'rhouser@cslawyers.com'; Terrie DeDecker - SUPCRTX; 'rob.somers@smartcommllc.com'; ' James T. "Skip" Acuff '; 'Christine Ferreira' (ChristineF@wb-law.com); 'emailkentmaerki@gmail.com'; Marni Lutz (lutzm@superiorcourt.maricopa.gov)

Cc: 'kentmaerki@gmail.com'

Subject: RE: CV2010-032209-926-06152015.docx

Good morning,

Judge Anderson has set *Oral Argument on Tuesday, July 14, 2015 at 1:30 p.m. (30M)* in regards to Plaintiff's Motion for Leave to file and Serve Verified Second Amended Complaint for Injunctive Relief and Damages.

A minute entry will issue.

Thank you,

Marni

*****if anyone was left off of this email, please forward*****

Marcina Lutz

JA to Judge Arthur T. Anderson

East Court Building, Courtroom 511

PH: 602-506-0341

FX: 602-372-0870