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AZ CORP COMMISSION
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BEFORE THE ARIZONA CORPORATION COMMISSION

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In the matter of:

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

ER FINANCIAL & ADVISORY
SERVICES, L.L.C.,

LANCE MICHAEL BERSCH, and

DAVID JOHN WANZEK and LINDA
WANZEK, husband and wife,

Respondents.

DOCKET NO. S-20906A-14-0063

SECOND JOINT STATUS REPORT
REGARDING THE STATUS OF THE
PROCEEDINGS IN THE ARIZONA
COURT OF APPEALS

Arizona Corporation Commission

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Pursuant to the Eighteenth Procedural Order in this matter, the Securities Division ("Division") and Respondents Concordia Financing Company, Ltd. ("Concordia"), ER Financial & Advisory Services, L.L.C. ("ER Financial"), Lance Michael Bersch ("Mr. Bersch"), and David John Wanzek and Linda Wanzek ("Mr. and Mrs. Wanzek") respectfully submit this status report concerning the status of the proceedings in Arizona Court of Appeals Case No. 1 CA-CV 15-0340. Mr. Bersch and Mr. and Mrs. Wanzek filed the appeal following the entry of the final judgment dismissing the special action they filed in Maricopa County Superior Court Case No. LC2014-000415-001. Concordia and ER Financial are not parties to the appeal or to the proceedings in the Superior Court.

1 On August 3, 2015, Mr. Bersch and Mr. and Mrs. Wanzek filed their Opening Brief in
2 the Court of Appeals. On September 21, 2015, the State of Arizona, the Arizona
3 Corporation Commission and its Director of the Securities Division, Matthew J. Neubert,
4 filed their Answering Brief. On October 19, 2015, Mr. Bersch and Mr. and Mrs. Wanzek
5 filed their Reply Brief.

6 On November 13, 2015, the Court of Appeals granted the separate Requests for Oral
7 Argument that: (i) the State of Arizona, the Arizona Corporation Commission and Director
8 Neubert filed on October 26, 2015; and (ii) Mr. Bersch and Mr. and Mrs. Wanzek filed on
9 October 27, 2015. In granting the Requests for Oral Argument, the Court stated it would
10 schedule the oral argument in the normal course of the Court's civil appeals calendar, and
11 the Court would notify the parties' counsel of the date.

12 On November 9, 2015, the Arizona Attorney General filed a Motion to File a Brief as
13 Amicus Curiae. On December 10, 2015, the Court of Appeals granted that motion and
14 accepted for filing the Arizona Attorney General's Amicus Curiae Brief. On December 29,
15 2015, the Arizona Attorney General filed a Notice of Errata regarding his Amicus Curiae
16 Brief. On December 30, 2016, Mr. Bersch and Mr. and Mrs. Wanzek filed a Response to the
17 Amicus Curiae Brief of the Arizona Attorney General.

18 The appeal has been fully briefed. As of the filing of this Joint Report, the Court of
19 Appeals has not set oral argument.

20 RESPECTFULLY SUBMITTED this 1st day of February, 2016.

21 ARIZONA CORPORATION COMMISSION

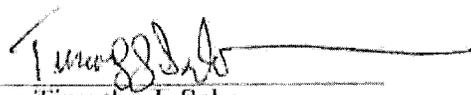
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23 By 
24 James D. Burgess
25 Attorney for the Securities Division
26 Arizona Corporation Commission

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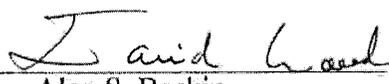
SNELL & WILMER L.L.P.

and

POLSINELLI PC

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Attorneys for Concordia Financing
Company, Ltd.

ORIGINAL and 8 copies of the foregoing
filed this 1st day of February, 2016, with:

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

COPY of the foregoing hand-delivered
this 1st day of February, 2016, to:

The Honorable Mark H. Preny
Administrative Law Judge
Arizona Corporation Commission
1200 W. Washington St.
Phoenix, AZ 85007

1 COPIES of the foregoing mailed and emailed
2 this 1st day of February, 2016, to

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