

ORIGINAL



0000168392

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

ANDY TOBIN  
BOB STUMP  
BOB BURNS  
DOUG LITTLE  
TOM FORESE

2016 FEB 16 A 11:11  
AZ CORP COMMISSION  
DOCKET CONTROL

In the matter of:  
LOAN GO CORPORATION, a Utah corporation,  
JUSTIN C. BILLINGSLEY and HEATHER BILLINGSLEY, husband and wife,  
JEFFREY SCOTT PETERSON, an unmarried man,  
JOHN KEITH AYERS and JENNIFER ANN BRINKMAN-AYERS, husband and wife,  
Respondents.

Docket No. S-20932A-15-0220

**MOTION TO WITHDRAW AS COUNSEL**

Arizona Corporation Commission

DOCKETED

FEB 16 2016

DOCKETED BY *MC*

Pursuant to ACC Rules of Practice and Procedure R14-3-104(E) and Rule 5.1(a)(2)(B) of the Arizona Rules of Civil Procedure, Maureen Beyers and the law firm of Osborn Maledon P.A. move for a formal written order permitting counsel and the firm ("Applicants") to withdraw from representation of Respondents Justin C. Billingsley and Heather Billingsley.

Grounds for withdrawal include ER 1.16(b)(5), which provides that a lawyer may withdraw from representing a client if "the client fails to substantially fulfill an obligation to the lawyer regarding the lawyer's services and has been given reasonable warning that the lawyer will withdraw unless the obligation is fulfilled." Justin and Heather Billingsley have been given reasonable notice, in writing, that Applicants would seek to withdraw from representing them if certain obligations were not fulfilled. Applicants are precluded by ER 1.6 from disclosing any additional information in this filing regarding the grounds on which

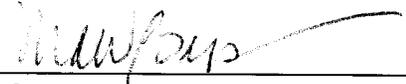
1 they seek to withdraw. *See* ER 1.16 cmt. 3 (“[C]ourt approval or notice to the court is often  
2 required by applicable law before a lawyer withdraws from pending litigation. . . . The court  
3 may request an explanation for the withdrawal, while the lawyer may be bound to keep  
4 confidential the facts that would require such an explanation. The lawyer’s statement that  
5 professional considerations require termination of the representation should be accepted as  
6 sufficient.”)

7 As set forth in the attached Declaration of Maureen Beyers, Defendant has been  
8 notified in writing of the status of the case. Defendants’ names, residence and telephone  
9 number are:

10 Justin C. Billingsley and Heather Billingsley  
11 11 Louis Allan Dr.  
12 Danbury, CT 06811  
13 (203) 240-7160

14 A proposed form of order is attached.  
15 Dated this 16th day of February, 2016.

16 OSBORN MALEDON, P.A.

17 By   
18 Maureen Beyers  
19 2929 N. Central Avenue, Suite 2100  
20 Phoenix, Arizona 85012-2782  
21 Attorneys for Respondents Justin C.  
22 Billingsley and Heather Billingsley

23 ORIGINAL and thirteen copies of the foregoing  
24 filed this 16th day of February, 2016 with:

25 Docket Control  
26 Arizona Corporation Commission  
27 1200 West Washington Street  
28 Phoenix, AZ 85007

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

COPY of the foregoing hand-delivered  
this 16th day of February, 2016 to:

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

Mark Preny  
Hearing Officer  
Hearing Division  
Arizona Corporation Commission  
1200 W. Washington Street  
Phoenix, AZ 85007

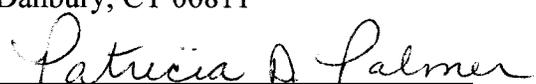
COPY of the foregoing mailed  
this 15th day of February, 2016 to:

Paul Kitchin  
Securities Division  
Arizona Corporation Commission  
1300 W. Washington, 3rd Floor  
Phoenix, AZ 85007

Ashley C. Grimes  
Grimes Law PLLC  
4140 E. Baseline Rd., Suite 101  
Mesa, AZ 85206  
*Attorney for Loan Go Corporation and Jeffrey Scott Peterson*

Keven Fallon McCarthy  
McCarthy Law PLC  
4250 N. Drinkwater Blvd., Suite 320  
Scottsdale, AZ 8525 1  
*Attorneys for Respondents ' Ayers*

Justin C. Billingsley and Heather Billingsley  
11 Louis Allan Dr.  
Danbury, CT 06811

  
Patricia D. Palmer  
6514666

1 BEFORE THE ARIZONA CORPORATION COMMISSION

2 COMMISSIONERS

3 ANDY TOBIN  
4 BOB STUMP  
5 BOB BURNS  
6 DOUG LITTLE  
7 TOM FORESE

8 In the matter of:

9 LOAN GO CORPORATION, a Utah  
10 corporation,  
11 JUSTIN C. BILLINGSLEY and HEATHER  
12 BILLINGSLEY, husband and wife,  
13 JEFFREY SCOTT PETERSON, an  
14 unmarried man,  
15 JOHN KEITH AYERS and JENNIFER  
ANN BRINKMAN-AYERS, husband and  
16 wife,

17 Respondents.

Docket No. S-20932A-15-0220

**DECLARATION OF MAUREEN  
BEYERS IN SUPPORT OF  
MOTION TO WITHDRAW AS  
COUNSEL**

18 I, Maureen Beyers, hereby declare and state as follows:

19 1. I am an attorney duly admitted to practice in the state of Arizona. I am  
20 a Member of the law firm Osborn Maledon, P.A., (collectively, "Osborn Maledon"),  
21 attorneys for Respondents Justin C. and Heather Billingsley in the above-entitled  
22 action. I have personal knowledge of the facts stated herein, and if called as a  
23 witness, I could and would testify competently thereto.

24 2. I submit this declaration in support of the Motion to Withdraw as  
25 Counsel filed concurrently herewith.

26 3. In an email dated January 13, 2016, I gave Respondents notice that  
27 Osborn Maledon would withdraw as counsel if they did not promptly fulfill certain  
28

1 obligations regarding Osborn Maledon's services. To date, Respondents have not  
2 fulfilled those obligations.

3 4. In a letter dated January 21, 2016, I advised Respondents of my  
4 intention to withdraw as counsel and I enclosed a consent for them to sign to facilitate  
5 the withdrawal. I further advised Respondents of pending deadlines in the case.

6 5. Having failed to receive either the consent or the fulfillment of  
7 Respondents' obligations, I also sent Respondents an email on February 10, 2016,  
8 which included another copy of my January 21, 2016 letter and consent.

9 6. I have not received a copy of the signed consent.

10 I declare under penalty of perjury under the laws of Arizona that the foregoing  
11 is true and correct.

12 Dated: February 16, 2016.

13  
14   
15 Maureen Beyers

16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**BEFORE THE ARIZONA CORPORATION COMMISSION**

**COMMISSIONERS**

ANDY TOBIN  
BOB STUMP  
BOB BURNS  
DOUG LITTLE  
TOM FORESE

In the matter of:  
  
LOAN GO CORPORATION, a Utah  
corporation,  
  
JUSTIN C. BILLINGSLEY and HEATHER  
BILLINGSLEY, husband and wife,  
  
JEFFREY SCOTT PETERSON, an  
unmarried man,  
  
JOHN KEITH AYERS and JENNIFER  
ANN BRINKMAN-AYERS, husband and  
wife,  
  
Respondents.

Docket No. S-20932A-15-0220  
**PROPOSED ORDER GRANTING  
MOTION TO WITHDRAW AS  
COUNSEL**

Upon motion and for good cause appearing,  
  
IT IS ORDERED that Maureen Beyers and the law firm of Osborn Maledon, P.A. are  
hereby permitted to withdraw as counsel for Respondents Justin C. Billingsley and Heather  
Billingsley.

Dated: \_\_\_\_\_