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 9 Attorneys for Defendant Colleen Ellis

Arizona Corporation Commission

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AZ CORP COMMISSION
DOCKET CONTROL

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

8 DOUG LITTLE- Interim Chairman
 9 BOB STUMP
 10 BOB BURNS
 11 TOM FORESE

12 In the matter of:
 13 COLLEEN ELLIS,
 14 husband and wife,

DOCKET NO. S-20949A-16-0002

ANSWER OF COLLEEN ELLIS

15 OAK CAPITAL PARTNERS, LLC, an
 16 Arizona limited liability company,
 Respondents,

INTRODUCTION

18 Respondent, Colleen Ellis, for her answer to the complaint alleges as follows: Colleen
 19 Ellis denies any knowledge or participation in any of the activities of Bart Ellis and Oak Capital
 20 Partner, LLC. Further, she denies that she engaged in any acts, practices, or transactions that
 21 violated securities or the Arizona Investment Management Act.

I.

Colleen Ellis admits that stated in paragraphs 3, 4, and 5 of the complaint.

II.

25 Respondent Colleen Ellis admits per paragraph 6 she was married to Burt Ellis, said
 26 marriage to have occurred August 28, 2004, and that she and Bart Ellis are still married but have
 27 been separated and living apart since July 24, 2015.

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III.

Respondent Colleen Ellis admits per paragraph 7 whatever Bart Ellis did, he did for his own benefit. She denies he did so for the benefit of their marital community and contends she is an innocent spouse supporting herself and her children from her sole and separate funds.

IV.

Respondent Colleen Ellis is without sufficient information to determine the truth or falsity of that contained in paragraphs 8-38 and thereby denies same.

V.

Respondent Colleen Ellis is without sufficient information as to that stated in IV, V, VI, VII, and VIII and asked the requested relief be denied.

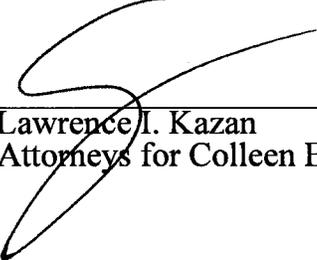
AFFIRMATIVE DEFENSES

To the extent that they may apply Respondent Colleen Ellis alleges “accord and satisfaction, arbitration and award, assumption of risk, contributory negligence, duress, estoppel, failure of consideration, fraud, illegality, laches, license, payment, release, res judicata, statute of frauds, statute of limitations, waiver, and any other matter constituting an avoidance or affirmative defense.”

Further, Colleen Ellis alleges she is an innocent spouse who lives separate and apart and who should not be penalized as a result of anything Bart Ellis or Oak Capital Partners LLC has done or alleged to have done since she has no knowledge or participation in such conduct nor did she have reason to know of any wrongdoing if that be the case.

RESPECTFULLY SUBMITTED this 7th day of March 2016.

DEBUS, KAZAN & WESTERHAUSEN, LTD.

By 
Lawrence I. Kazan
Attorneys for Colleen Ellis

1 **ORIGINAL and 13 COPIES** of the foregoing filed
2 this 7th day of March 2016 to:

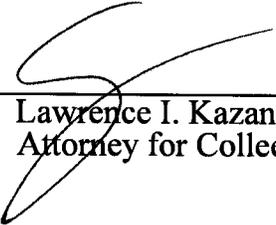
3 Docket Control
4 Arizona Corporation Commission
5 1200 West Washington
6 Phoenix, Arizona 85007

7 A **COPY** of the foregoing mailed
8 this 7th day of March 2016 to:

9 Ryan J. Millecam, Esq.
10 Arizona Corporation Commission
11 1300 West Washington Street
12 Phoenix, Arizona 85007

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By _____


Lawrence I. Kazan
Attorney for Colleen Ellis