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Attorneys for the Utah Division of Securities

**BEFORE THE DIVISION OF SECURITIES
OF THE DEPARTMENT OF COMMERCE
OF THE STATE OF UTAH**

In the matter of: PAUL PANTONE, and GEET, Respondents.	MOTION TO DISMISS AND ORDER Docket No. SD 03-0063 Docket No. SD 03-0064
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The Utah Division of Securities (Division), by and through Jeffrey Buckner, Assistant Attorney General, and pursuant to Rule 41(a)(2) of the Utah Rules of Civil Procedure, to the extent those rules may be looked to as persuasive in this proceeding, *see Utah Admin. Code R151-46b-5(3)*; hereby moves for dismissal of the emergency cease and desist order filed on October 3, 2003. Respondents served their response through attorney James Barber on November 5, 2003. Mr. Barber subsequently died and no one is currently representing Mr. Pantone in this proceeding. Mr. Pantone was declared incompetent in a companion criminal action.

Rule 41(a)(2)(ii) allows dismissal upon terms and conditions as the court deems proper. In this case, dismissal is proper because the Division is unable to file a stipulated motion since there is no attorney representing Mr. Pantone and he cannot stipulate since he is incompetent. In the alternative, the Division asks that counsel be appointed pursuant to Rule 74(c) to sign a stipulated motion of dismissal.

Respectfully submitted this May 12, 2008.

MARK L. SHURTLEFF
UTAH ATTORNEY GENERAL



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In the Matter of:

**PAUL PANTONE, and
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Respondents.

ORDER OF DISMISSAL

Docket No. SD 03-0063

Docket No. SD 03-0064

Upon motion of the Division of Securities and for good cause appearing,

IT IS HEREBY ORDERED that the Order to Show Cause dated October 3, 2003 is dismissed.

IT IS FURTHER ORDERED that each party will bear its own costs.

DATED this 14th day of May 2008.


THAD LEVAR, ACTING DIRECTOR
UTAH DIVISION OF SECURITIES



CERTIFICATE OF MAILING

I, Ina Jensen, hereby certify that I served a copy of the foregoing Motion to Dismiss and Order on Respondents by mailing a copy to the following this the 12th day of May 2008:

Utah State Hospital
Attn: Patient Paul Pantone
1300 East Center Street
Provo, Utah 84603



Ina Jensen

CERTIFICATE OF MAILING

I hereby certify that on the 24th day of June 2008, I mailed, regular mail postage prepaid, a copy of the foregoing **Motion to Dismiss and Order** to:

Utah State Hospital
Patient Paul Pantone
1300 East Center Street
Provo, UT 84603



Pam Radzinski
Executive Secretary