

Jeffrey Buckner (4546)
Assistant Attorney General
Mark L. Shurtleff (4666)
Utah Attorney General
Utah Attorney General's Office
Attorneys for Plaintiff
Commercial Enforcement Division
P. O. BOX 140872
160 East 300 South, Fifth Floor
Salt Lake City, Utah 84114-0872
Telephone: (801) 366-0310
Facsimile: (801) 366-0315

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

IN THE MATTER OF:

FLAVOR BRANDS, INC.,
J.D. PULVER,
TIM HASKIN, and
DENISE SULLIVAN,

Respondents.

**THIRD REQUEST FOR DECISION
AND REQUEST FOR HEARING**

Docket No. SD-06-0057
Docket No. SD-06-0058
Docket No. SD-06-0059
Docket No. SD-06-0060

The State of Utah, Division of Securities (Division), pursuant to Rule 7(d) of the Utah Rules of Civil Procedure to the extent applicable, again requests a decision on its motion to strike Respondent's to "motion to dismiss and/or for summary judgment" filed and served on January 10, 2008. No opposition to the motion to strike has been filed, and the time for filing an opposition has now passed. *Utah Admin. Code R151-46b-7(6)(c)(opposition filed within ten days of service); see also Utah Admin. Code R151-46b-5(4)(three days added when service by*

mail). Because the Division's motion to strike is unopposed, it should be granted. The Division also asks that a hearing be set.

Respectfully submitted this August 27, 2008.

MARK L. SHURTLEFF
UTAH ATTORNEY GENERAL

A handwritten signature in black ink, appearing to read "Jeffrey Buckner", written over a horizontal line.

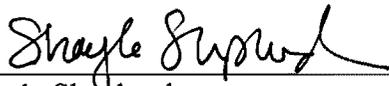
Jeffrey Buckner
Assistant Attorney General.

CERTIFICATE OF MAILING

I, Shayla Shepherd, certify that on the 21st day of August 2008, I served a copy of the foregoing **Third Request for Decision and Request for Trial Setting** on JD Pulver by mailing

a copy to:

JD Pulver
11705 Boyette Rd., #437
Riverview, FL 33569



Shayla Shepherd