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

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IN THE MATTER OF:

CARL ROGER TODD;  
KENNETH WALTER NORTH;

Respondents.

**SCHEDULING ORDER**

Docket No. SD-06-0089  
Docket No. SD-06-0090

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On November 14, 2006, the Division issued an Order to Show Cause against Respondents. The hearing initially set for December 27, 2006 was rescheduled to January 16, 2007 at the request of Respondents.

At the hearing on January 16, 2007 the Division was represented by Jeff Buckner from the Attorney General's office and Jennifer Korb from the Division. Respondent Carl Roger Todd was represented by his counsel, Edward Greim from Kansas City, MO, who participated by telephone. Respondent Kenneth Walter North was represented by his counsel, Neil A. Kaplan from Salt Lake, who participated by telephone. Neither Respondent participated in the hearing. Counsel for both Respondents indicated that no answers had yet been filed in the case.

A schedule was set for further proceedings in this case.

**IT IS HEREBY ORDERED:**

1. Respondents must file their answers by February 16. If either Respondent chooses to file a motion to dismiss on jurisdictional grounds in lieu of an answer, the motion must be filed by February 16. If a motion to dismiss is filed, the Division will have until March 2 to file a response and the movant will have until March 16 to reply.
2. Discovery shall be exchanged by April 30, 2007.

3. Any non-jurisdictional dispositive motions, such as motions to dismiss or for summary judgment, shall be filed by June 15, 2007. If motions such as these are filed, the other party will have two weeks after the motion is filed to submit a response and the moving party will have two weeks after the response to file a reply. This means the last reply must be filed by July 13. If a hearing is needed on the motions, one will be set in July or early August.
4. By August 31, each side shall identify any expert witnesses it intends to use and provide the other side with a copy of the expert's report.
5. Each side shall provide the Presiding Officer and the other side, by September 28, with its list of hearing witnesses and those exhibits it intends to introduce at the hearing.
6. The parties indicated that they anticipate the hearing will last three days. The hearing will be held in October 2007. A specific date will be set later.

Counsel for Respondents requested that the Presiding Officer order the Division to provide copies of any recordings made of their clients. The Presiding Officer ruled that those recordings should be provided as part of discovery, but would not be ordered produced before Respondents file answers or any challenges to jurisdiction.

This matter will be referred to Administrative Law Judge J. Steven Eklund for further proceedings.

DATED this 19<sup>th</sup> day of January, 2007.

  
WAYNE KLEIN  
Director, Presiding Officer



CERTIFICATE OF SERVICE

The undersigned certifies that on the 22<sup>nd</sup> day of January, 2007 copies of the foregoing

Scheduling Order were served on the parties as follows:

Hand Delivered

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Via U.S. Mail

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Pamela Rozinski