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

5 In the matter of:

Docket No. SD-07-0084

6 AARON GRAHAM, CRD# 3167246

**RESPONDENT AARON GRAHAM'S  
UNOPPOSED REQUEST FOR  
EXPEDITED TELECONFERENCE  
HEARING ON MOTION FOR  
ISSUANCE OF NON-PARTY  
SUBPOENAS**

7  
8  
9 Respondent.

10 Respondent Aaron B. Graham ("Mr. Graham" or "Respondent"), by and through  
11 undersigned counsel, hereby files this Unopposed Request for Expedited Teleconference Hearing  
12 on his Motion for Issuance of Non-Party Subpoenas ("Unopposed Request") and, in support  
13 thereof, submits the following Memorandum of Points and Authorities:

14 **MEMORANDUM OF POINTS AND AUTHORITIES**

15 On July 11, 2008 Respondent filed his Motion for Issuance of Non-Party Subpoenas  
16 ("Motion"). Mr. Graham requested, pursuant to, *inter alia* and without limitation, Utah  
17 Department of Commerce Administrative Procedures Act Rule R151-46b-9(1)(a) and R151-46b-  
18 9(12), the issuance of non-party subpoenas to the following twelve (12) entities: (1) Manulife  
19 Financial Corporation, now known as John Hancock Life Insurance Company; (2) Raymond  
20 James & Associates, Inc.; (3) Merrill Lynch; (4) Morgan Stanley; (5) Jackson National Life; (6)  
21 Nielsen Financial Services; (7) AIG Financial Advisors, Inc.; (8) SunAmerica Securities; (9)  
22 Cambridge Investment Research, Inc.; (10) UBS Financial Services, Inc.; (11) United Planners  
23 Financial Services of America; and (12) Webex Communications, Inc. Respondent submits that  
24 the requested information is highly relevant; the bases that support the issuance of each subpoena  
25 are separately set forth, in turn, in the Motion and are incorporated herein by reference.

26 Counsel has conferred regarding this Unopposed Request and Mr. Graham's Motion. The  
27 Utah Securities Division ("Securities Division") will not have objections to the issuance of many

**ROSHKA DeWULF & PATTEN, PLC**  
ONE ARIZONA CENTER  
400 EAST VAN BUREN STREET - SUITE 800  
PHOENIX, ARIZONA 85004  
TELEPHONE NO 602-256-6100  
FACSIMILE 602-256-6800

1 of the above-referenced subpoenas. The Securities Division will identify those subpoenas that it  
2 believes are objectionable in its Response to Mr. Graham's Motion. The deadline for the  
3 Securities Division to file its Response is Tuesday, July 29, 2008.

4 Mr. Graham requests and proposes a teleconference hearing regarding the Motion on  
5 Wednesday, July 30, the morning of Thursday, July 31 or Friday, August 1, 2008. Counsel is  
6 available on those dates and, once again, the Securities Division has no objection to an expedited  
7 hearing on these issues.

8 **III. CONCLUSION**

9 In light of the foregoing, Respondent respectfully requests an expedited teleconference  
10 hearing on his Motion for Issuance of Non-Party Subpoenas, that said Motion be granted and all  
11 of the foregoing twelve (12) subpoenas be promptly issued in their current form.

12 RESPECTFULLY SUBMITTED this 25th day of July, 2008.

13 ROSHKA DeWULF & PATTEN, PLC

14  
15 By   
16 Paul J. Roshka, Jr., Esq.  
17 Jeffrey D. Gardner, Esq.  
18 One Arizona Center  
19 400 East Van Buren Street, Suite 800  
20 Phoenix, Arizona 85004  
21 602-256-6100 (telephone)  
22 602-256-6800 (facsimile)  
23 Attorneys for Respondent

24 **CERTIFICATE OF CONFERENCE**

25 I hereby certify that the undersigned did confer telephonically with D. Scott Davis, Esq.,  
26 counsel of record for the State of Utah, on Friday, July 25, 2008, and Mr. Graham's Request for  
27 Expedited Hearing is unopposed.

By   
Jeffrey D. Gardner, Esq.

**CERTIFICATE OF FILING**

I hereby certify that I have this day served the foregoing document upon the parties of record in this proceeding as set forth below:

ORIGINAL and one copy of the foregoing sent *via* Facsimile and Federal Express this 25th day of July, 2008 to:

Administrative Court Clerk  
c/o Pam Radzinski  
Utah Division of Securities  
160 East 300 South, 2nd Floor  
Box 146760  
Salt Lake City, Utah 84114-6760

Copy of the foregoing sent *via* Federal Express this 25th day of July, 2008 to:

J. Steven Eklund  
Administrative Law Judge  
Utah Division of Securities  
160 East 300 South, 2nd Floor  
Box 146760  
Salt Lake City, Utah 84114-6760

Benjamin Johnson  
Presiding Officer  
Utah Division of Securities  
160 East 300 South, 2nd Floor  
Salt Lake City, Utah 84114-6760

D. Scott Davis  
Assistant Attorney General  
Utah Attorney General's Office  
160 East 300 South, Fifth Floor  
Box 140872  
Salt Lake City, Utah 84114-0872

Leigh Davis-Schmidt, Esq.  
Utah Division of Securities  
160 East 300 South, 2nd Floor  
Box 146760  
Salt Lake City, Utah 84114-6760

**ROSHKA DeWULF & PATTEN, PLC**  
ONE ARIZONA CENTER  
400 EAST VAN BUREN STREET - SUITE 800  
PHOENIX, ARIZONA 85004  
TELEPHONE NO 602-256-6100  
FACSIMILE 602-256-6800

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Dated this 25th day of July 2008.

*Hana Colwell*

Legal Secretary

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