DIVISION OF SECURITIES
KEITH WOODWELL, DIRECTOR
DEPARTMENT OF COMMERCE
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BEFORE THE DIVISION OF SECURITIES

OF THE DEPARTMENT OF COMMERCE

OF THE STATE OF UTAH

IN THE MATTER OF:	**SCHEDULING ORDER** **NOTICE OF HEARING**
COCAPITAL, LLC **COBY TIPPETTS,** RESPONDENTS	**CASE NO.** SD-08-0107 **CASE NO.** SD-08-0108

BY THE PRESIDING OFFICER:

The notice of agency action and order to show cause in this matter were sent by the Division of Securities (Division) to the above-named Respondents on December 31, 2008. On July 3, 2013, the presiding officer stayed these administrative proceedings to allow the parties time to negotiate a stipulated agreement. To date, no agreement has been filed. On August 21, 2013, the presiding officer conducted a scheduled status conference, lifted the stay, and informed the parties that an order would issue setting a hearing date and establishing deadlines for discovery and prehearing disclosures.

The presiding officer now enters the following scheduling order:

1. Respondents shall file their answer to the Division's order to show cause no later than September 23, 2013. Failure to comply with this deadline shall constitute grounds for entry of a default order against Respondents without further notice or proceeding. Utah Code § 63G-4-209.
2. The parties shall comply with the initial disclosure requirement of Utah Administrative Code § R151-4-503 by October 7, 2013.
3. If either party wishes to file a motion for summary judgment, judgment on the pleadings, or other dispositive motion, the party shall request a supplemental scheduling order from the presiding officer no later than October 29, 2013.
4. The parties shall complete discovery by November 21, 2013.
5. Pursuant to Utah Administrative Code § R151-4-504(2), the parties shall exchange final disclosures by December 9, 2013.
6. Should either party determine to use an expert witness, the party shall disclose the expert's name, contact information, and written report no later than December 9, 2013.
7. Unless this matter is settled through a stipulated agreement, resolved through an order issued on a prehearing motion, or continued for good cause, a hearing shall take place before the Utah Securities Commission on January 23, 2014.

This order shall be effective on the signature date below.

DATED this 22nd day of August, 2013.

UTAH DEPARTMENT OF COMMERCE

Jennie T. Jonsson, Presiding Officer

Certificate of Service

I hereby certify that on the 22nd day of August, 2013, the undersigned served a true and correct copy of the foregoing document by first class mail, postage prepaid, to:

and caused a copy to be hand delivered to:

Paul Amann, Assistant Attorney General
Division of Securities
Heber M. Wells Building, 5th Floor

Division of Securities
Attn.: Ann Skaggs
Heber M. Wells Building, 2nd Floor