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

IN THE MATTER OF,

SECURED LOAN FUND, LLC;
SECURED LOAN FUND II, LLC; and
DAVID BURNS STAYNER;

RESPONDENTS.

REQUEST FOR HEARING

DOCKET NO. SD- 09-0003
DOCKET NO. SD- 09-0059
DOCKET NO. SD- 09-0004

The State of Utah, Department of Commerce, Securities Division (the Division), respectfully requests this tribunal set a hearing to schedule this matter for further proceedings. The basis for this request is that the Respondent moved to stay these proceedings on January 19, 2010 because of a criminal proceeding against Respondent (State v. David Burns Stayner, Case No. 091702099). No Order was ever entered on the Motion, however, no further action has occurred since that time.

The Respondent's criminal proceedings in Second District Court, Davis County, Utah, case numbers have been resolved. The Defendant entered his guilty pleas to two Second Degree Felony Counts of Securities Fraud on December 27, 2010. The Defendant was sentenced to prison on February 14, 2011. Judge Allphin recommended that Respondent serve at least five years in prison and ordered restitution of \$4,178,073.13. The case was reassigned to Judge Hamilton who ordered Respondent to be released on May 11, 2011, pending appeal. On June 29,

2011, Judge Hamilton re-sentenced Respondent by suspending his prison and ordering a 365 day jail sentence and probation for 108 months. Since that time, numerous reviews have been held in the District Court with respect to restitution. Respondent's current obligation is for \$1,500 per month. The last review was on July 17, 2013. The next one is set for December 11, 2013. The Respondent remains on probation and with the exception of such reviews, the criminal matter is concluded.

The Securities Division therefore requests that a hearing be scheduled at the earliest convenience of this tribunal and the parties.

Respectfully submitted this 31st day of July, 2013.



PAUL G. AMANN
Assistant Attorney General
Counsel for the Division

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of July, 2013, I emailed a true and correct copy of the foregoing to counsel for the Respondent at his last known address of record as follows:

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Maria Lohse
Executive Secretary