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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:

UTAH GROWTH, LLC,  
ABM INVESTMENT MANAGEMENT CO.,  
G. JASON PAISOLA, and  
TRISHA LEE PAISOLA

Respondents.

**MOTION TO LIFT STAY and  
REQUEST FOR HEARING**

Docket No. SD-10-0030  
Docket No. SD-10-0031  
Docket No. SD-10-0032  
Docket No. SD-10-0033

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The State of Utah, Department of Commerce, Securities Division, respectfully requests this tribunal to lift and terminate the stay entered on June 23<sup>rd</sup>, 2011, and to set a hearing to schedule this matter for further proceedings. The basis for this request is that the Respondents, Jason and Trisha Paisola, each entered guilty pleas to one count of securities fraud in Third District Court, case number 101908934, on August 29, 2011. Therefore, the reasons sought by the Respondents for the stay, to protect their rights against self-incrimination under the 5<sup>th</sup> Amendment, are no longer at issue or necessary due to the Respondents' guilty pleas. When a defendant in a criminal case enters a guilty plea, he/she waives a number of constitutional rights,

including the right against self-incrimination. Utah Rules of Criminal Procedure 11(e)(3).

Sentencing in the criminal case is set for March 5, 2012. It may well be in the Respondents best interests to have this matter resolved prior to sentencing in the criminal case.

The Securities Division also requests that a hearing be scheduled as soon as it can be properly calendared to schedule further proceedings in this administrative proceeding.

Respectfully submitted this 29<sup>th</sup> day of November, 2011.

By: D. Scott Davis

D. Scott Davis  
Assistant Attorney General

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I personally served a true and correct copy of the foregoing on this 30<sup>th</sup> day of November, 2011, to the following:

Gregory V. Stewart Attorney for Respondents 3651 North 100 East, Suite 300 Provo, Utah 84604-4521	Sent via:
	<input type="checkbox"/> Hand-Delivery
	<input checked="" type="checkbox"/> Facsimile: 801-852-1375
	<input type="checkbox"/> Mailed (U.S. Mail, postage prepaid)
	<input checked="" type="checkbox"/> Other <u>email to greg.stewart@usc.net</u>

*D. Scott*