

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

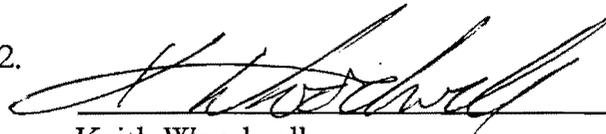
**IN THE MATTER OF
UTAH GROWTH, L.L.C.
ABM VESTMENT MANAGEMENT CO.,
G. JASON PAISOLA, and
TRISHA LEE PAISOLA**

**ORDER
CASE NO. SD-11-0030
CASE NO. SD-11-0031
CASE NO. SD-11-0032
CASE NO. SD-11-0033**

BY THE DIVISION:

The foregoing motion to vacate the stay of enforcement of this proceeding is granted and the recommended order is hereby adopted by the Division of Securities.

Dated this 17th day of March 2012.



Keith Woodwell
Director
Division of Securities

CERTIFICATE OF SERVICE

I certify that I have this day served the foregoing Order on the parties of record in this proceeding set forth below, by delivering a copy thereof in person to, D. Scott Davis, Assistant Attorney General, Heber M. Wells Building, Second Floor, 160 East 300 South, Salt Lake City, UT; and by mailing a copy, properly addressed, by first class mail, postage prepaid, to Gregory V. Stewart, Attorney for Respondents, 3651 North 100 East, Suite East, Suite 300, Provo, Utah 84064-4521.

Dated this 20th day of March 2012.



Julie Price
Executive Secretary
Division of Securities

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

**IN THE MATTER OF
UTAH GROWTH, L.L.C.
ABM INVESTMENT MANAGEMENT CO.,
G. JASON PAISOLA, and
TRISHA LEE PAISOLA**

**MOTION TO VACATE
STAY OF ENFORCEMENT
AND RECOMMENDED ORDER
CASE NO. SD-11-0030
CASE NO. SD-11-0031
CASE NO. SD-11-0032
CASE NO. SD-11-0033**

APPEARANCES:

D. Scott Davis for the Division of Securities

Gregory V. Stewart for Respondents

BY THE ADMINISTRATIVE LAW JUDGE:

This adjudicative proceeding was initiated pursuant to a June 10, 2010 notice of agency action. A prehearing teleconference was conducted on August 10, 2010 with Jeff Buckner representing the Division of Securities. None of the Respondents participated in that teleconference nor did legal counsel for Respondents.

However, the Division informed the Court there has been some contact between respective counsel and Respondents have requested a stay of enforcement of this proceeding pending the resolution of a related criminal proceeding.. The Division also informed the Court that it does not oppose such action. The Court ordered that any written request to stay this proceeding shall be submitted within thirty (30) days and

counsel for Respondents was to similarly file an entry of appearance.

Respondents filed an August 10, 2010 motion to stay this proceeding until final resolution of any Third District Court criminal proceedings which may be brought by the Attorney General's Office. Respondents filed a memorandum in support of their motion. This record does not reflect any response filed by the Division to that motion.

However, the Division prepared an order to grant Respondents' motion and stay this proceeding "pending the outcome of the criminal proceeding in a companion case". The Division submitted that proposed order to the Court on or about mid June 2011. Pursuant to a June 23, 2011 Order, the Court thus granted the motion and issued that Order to stay this proceeding.

Mr. Davis became substitute counsel for the Division in this proceeding, effective October 25, 2011. The Division filed a November 29, 2011 motion to vacate the June 23, 2011 Order, whereby a stay of this proceeding had been granted. The Division also requests a hearing be scheduled to address necessary prehearing issues in this case and to further schedule the hearing before the Utah Securities Commission.

The Division's motion recites Respondents Jason and Trisha Paisola pled guilty to one (1) count of securities fraud in Third Judicial District Court proceedings on August 29, 2011. The motion also recites sentencing in that proceeding is set for March 5, 2012. The Division's motion was provided by both e-mail and facsimile transmission to

Respondents' counsel on November 30, 2011. This record does not reflect the filing of any response to that motion by Respondents. However, based on the recitals set forth in that motion, the Court concludes there is no longer a factual and/or legal basis to stay this proceeding. The Court thus submits the following Recommended Order to the Division for its review and action:

RECOMMENDED ORDER

WHEREFORE, IT IS ORDERED the June 23, 2011 Order is vacated and the November 29, 2011 motion is granted, effective the date this Recommended Order may be adopted by the Division.

It is also ordered the Court will conduct a prehearing teleconference with respective counsel no later than March 26, 2012. During that teleconference, the Court shall review and identify a date for the Commission hearing in this proceeding and also schedule any necessary prehearing matters.

I hereby certify the foregoing Motion to Vacate Stay of Enforcement and Recommended Order was submitted to Keith Woodwell, Director of the Division of Securities, on the 19th day of March 2012 for his review and action.


J. Steven Eklund
Administrative Law Judge
Department of Commerce