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

IN THE MATTER OF,

LANE BIRD,

RESPONDENT.

MOTION TO LIFT STAY

CASE NO. SD- 11-0026

The State of Utah, Department of Commerce, Securities Division (the Division), respectfully requests this tribunal to lift and terminate the stay entered on April 19, 2011, regarding Lane Bird, and to 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 April 15, 2011 because of a criminal proceeding against Respondent. An Order was entered staying these proceedings on April 19, 2011.

The Respondent's criminal proceeding in Second District Court, Davis County, Utah, case number 111700523, has been resolved. The Court entered a guilty ruling after a bench trial on one Count of Securities Fraud on August 28, 2012. (Respondent was found not guilty of one Count of Theft.) On November 26, 2012, Defendant was sentenced to serve probation and 180 days jail, forthwith. That jail sentence has now been served and Respondent is no longer in custody.

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