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

In the matter of:
JACK PHILLIPS,
JAMES D. ELLIOTT,
Respondents.

AMENDED SCHEDULING ORDER

Docket No. SD-12-0001
Docket No. SD-12-0002

A scheduling conference was conducted on July 18, 2012, to amend the scheduling order entered in this matter on March 8, 2012. The Division was represented by D. Scott Davis from the Office of the Attorney General and Ann Skaggs from the Division. Maria E. Heckel appeared on behalf of Jack Phillips. James D. Elliott appeared on his own behalf. The schedule for further proceedings in this case was adjusted as follows:

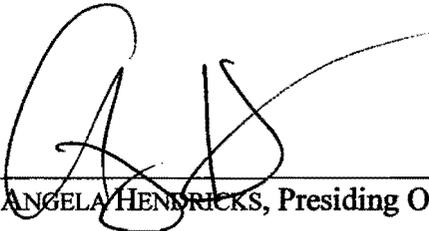
IT IS HEREBY ORDERED:

1. Respondent James D. Elliott shall file an answer by August 17, 2012.
2. Respondent James D. Elliott shall file initial disclosures by August 17, 2012.
3. The parties shall exchange evidence by August 17, 2012.
4. The parties shall complete discovery by October 1, 2012.
5. The parties shall identify any expert witnesses and provide the other side with a copy of the expert's report by October 19, 2012.
6. Any dispositive motions, such as motions to dismiss or for summary judgment, shall be filed by October 26, 2012. If such motions are filed, the other party shall submit responses by November 5, 2012 and the moving party shall have five (5) days after the filing of a response

to reply. If oral argument on such motions is requested, a hearing shall be calendared and noticed.

7. Parties shall provide witness and exhibit lists to opposing parties and the Presiding Officer by October 15, 2012.
8. An evidentiary hearing on the matter shall be held on November 29, 2012 at 9:00 a.m..

DATED this 18 day of July, 2012.



ANGELA HENDRICKS, Presiding Officer

CERTIFICATE OF SERVICE

I certify that I have this 18 day of July, 2012 served the foregoing SCHEDULING ORDER on the parties in this proceeding by mailing a copy, properly addressed by first class mail with postage prepaid, to:

MARIA E. HECKEL
RAY QUINNEY & NEBEKER, PC
36 S. STATE STREET, 14TH FLOOR
SALT LAKE CITY, UT 84145

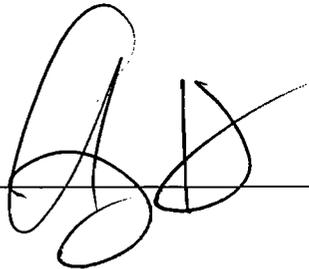
JACK PHILLIPS
39373 LACOMB DRIVE
LEBANON, OR 97355

JAMES D. ELLIOTT
5131 PRINCE PHILLIP CV.
BRENTWOOD, TN 37027

And by hand-delivery to:

D. Scott Davis, Assistant Attorney General
Office of the Attorney General of Utah

Ann Skaggs, Securities Analyst
Division of Securities



A handwritten signature in black ink, appearing to be 'AS', is written over a horizontal line. The signature is stylized and cursive.