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

IN THE MATTER OF:

**JAKE DANIEL MCKITTRICK,

Respondent.**

**RESPONSE TO MOTION TO STAY
PROCEEDINGS**

Docket No. SD-12-0049

The Utah Securities Division ("Division"), through its counsel, hereby responds to the Respondent's Motion to Stay Proceedings Pending Outcome of the Criminal Case filed on or about October 23, 2012.

The Division does not oppose the matter being stayed pending either entry of a guilty or no contest plea or dismissal, whichever is earlier. If the Respondent enters a plea of no contest or guilty, then he no longer has any rights arising out of the Fifth Amendment's protection against self-incrimination.

The Division requests that the Respondent be ordered to report entry of a no contest or guilty plea, or dismissal within 5 working days of such entry.

Respectfully submitted this 1st day of November, 2012.



D. Scott Davis
Assistant Attorney General
Attorney for Utah Securities Division

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I personally served a true and correct copy of the foregoing on this 1st day of November, 2012, to the following:

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| Stephen Quesenberry Hill, Johnson & Schmutz L.C. 4844 North 300 West, Suite 300 Provo, Utah 84604-5663 | Sent via: <input type="checkbox"/> Hand-Delivery <input type="checkbox"/> Facsimile: <input type="checkbox"/> Mailed (U.S. Mail, postage prepaid) <input checked="" type="checkbox"/> Other squesenberry@hjslaw.com |
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