

DIVISION OF SECURITIES  
KEITH WOODWELL, DIRECTOR  
DEPARTMENT OF COMMERCE  
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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 JOHN TERRY  
TIMMERMAN, RESPONDENT

**SCHEDULING ORDER**  
**NOTICE OF HEARING**  
**CASE NO. SD-12-0050**

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**BY THE PRESIDING OFFICER:**

The notice of agency action and order to show cause in this matter were sent by the Division of Securities (Division) to John Terry Timmerman (Respondent) on August 14, 2012. Respondent did not file an answer. A prehearing conference was held on October 4, 2012. Respondent appeared and indicated that he has consulted with an attorney who has agreed to represent him in this matter and will need additional time to file an answer. As of the date of this order, there has been no entry of appearance on behalf of Respondent. During the prehearing conference, Respondent was instructed that the administrative rules governing this case allow for an answer to be filed during the 30-day period following the date on which the notice of agency action is mailed, with no opportunity for extension. As that deadline has passed, Respondent may not file an answer, but he may file a hearing brief should he choose to do so.

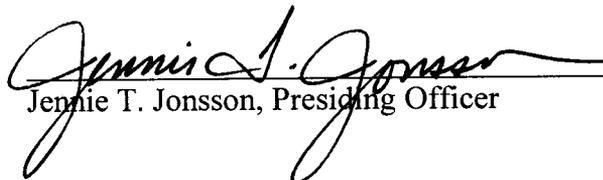
The presiding officer now enters the following scheduling order:

1. Should Respondent wish to file a hearing brief, he shall do so no later than October 31, 2012.
2. The parties shall exchange initial disclosures pursuant to Utah Administrative Code § R151-4-503 no later than October 19, 2012.
3. The parties shall complete discovery by December 14, 2012.
4. Any motion for summary judgment, dismissal, or other dispositive motion shall be filed no later than December 14, 2012. If any such motion is filed, the other party shall have until December 24, 2012 to respond, and the moving party shall have until January 4, 2013 to reply. If oral argument is required or requested on a motion, the presiding officer will issue a supplemental scheduling order setting a date and time prior to hearing.
5. Should either party determine to use an expert witness, the party shall disclose the expert's name, contact information, and written report no later than December 21, 2012.
6. Pursuant to Utah Administrative Code § R151-4-504(2), the parties shall disclose to one another all evidence that may be presented at hearing, other than rebuttal evidence, by December 21, 2012.
7. Unless this matter is settled through a stipulated agreement, a hearing shall take place before the Utah Securities Commission on January 24, 2013 at 9:00 A.M.

This order shall be effective on the signature date below.

DATED this 4<sup>th</sup> day of October, 2012.

UTAH DEPARTMENT OF COMMERCE

  
Jennie T. Jonsson, Presiding Officer

CERTIFICATE OF SERVICE

I hereby certify that on the 4<sup>th</sup> day of October, 2012, the undersigned mailed a true and correct copy of the foregoing document by first class mail, postage prepaid, to:

John Terry Timmerman  
PMB 291  
150 S. Hwy 160, Ste. 8  
Pahrump, NV 89048

and caused a copy to be hand delivered to:

D. Scott Davis, Assistant Attorney General  
Division of Securities  
Heber M. Wells Building, 5<sup>th</sup> Floor

Ann Skaggs, Security Analyst  
Division of Securities  
Heber M. Wells Building, 2<sup>nd</sup> Floor

