DIVISION OF SECURITIES
KEITH WOODWELL, DIRECTOR
DEPARTMENT OF COMMERCE
P.O. BOX 146760
160 EAST 300 SOUTH
SALT LAKE CITY, UTAH 84114-6711
Telephone: (801) 530-6628

BEFORE THE DIVISION OF SECURITIES

OF THE DEPARTMENT OF COMMERCE

OF THE STATE OF UTAH

IN THE MATTER OF **SUBHASH KITHANY, CRD#2181053**, RESPONDENT	**NOTICE OF CONTINUATION OF PREHEARING CONFERENCE** **CASE NO.** SD-12-0060

BY THE PRESIDING OFFICER:

On January 10, 2013, the parties in this matter finalized and executed a stipulated agreement, which will be presented to the Utah Securities Commission (Commission) on January 24, 2013. If the Commission approves the agreement, all matters currently at issue in the case will be resolved. In these circumstances, the presiding officer finds good cause to continue the prehearing conference, contingent upon the outcome of the Commission's review of the January 10, 2013 stipulated agreement. Should the Commission approve the agreement, said approval shall serve to close the case and cancel and vacate all conferences and proceedings that would otherwise be necessary to resolve this matter. Should the Commission decline to approve the agreement, the parties and the presiding officer shall conduct a prehearing conference, and a hearing date will be set pursuant to a scheduling order to be issued separately.

This order shall be effective on the signature date below.

DATED this 10th day of January, 2013.

UTAH DEPARTMENT OF COMMERCE

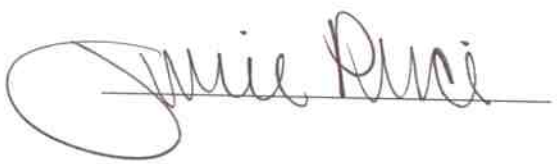
Jennie T. Jonsson, Presiding Officer

CERTIFICATE OF SERVICE

I hereby certify that on the 15 day of January, 2013, the undersigned mailed a true and correct copy of the foregoing document by first class mail, postage prepaid, to:

Subhash S. Kithany
977 East Wilson Avenue
Salt Lake City, UT 84105-3324

and caused a copy to be hand delivered to:

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

Utah Division of Securities
Heber M. Wells Building, 2nd Floor