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:	**SCHEDULING ORDER**
	NOTICE OF HEARING
MARK JAMES SAIN,	**CASE NO.** SD-12-0076
RESPONDENT	

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 Mark James Sain (Respondent) on January 11, 2013. On February 6, 2013, Respondent timely filed an answer to the Division's allegations. A prehearing conference was held on March 6, 2013. Respondent appeared by and through counsel, David O. Black.

The presiding officer now enters the following scheduling order:

1. The parties shall comply with the initial disclosure requirement of Utah Administrative Code § R151-4-503 by March 20, 2013.
2. The parties shall complete discovery by May 10, 2013.

3. Any motion for summary judgment, judgment on the pleadings, or other dispositive motion shall be filed no later than May 17, 2012. If any such motion is filed, the presiding officer shall issue a supplemental notice setting deadlines for response and reply, scheduling oral argument if requested or required, and adjusting other deadlines as deemed necessary.
4. Pursuant to Utah Administrative Code § R151-4-504(2), the parties shall exchange final disclosures by May 17, 2013.
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 May 17, 2013.
6. Unless this matter is settled through a stipulated agreement, resolved through an order issued on a prehearing motion, or continued for good cause, a hearing shall take place before the Utah Securities Commission on May 23, 2013.

DATED this 6th day of March, 2013.

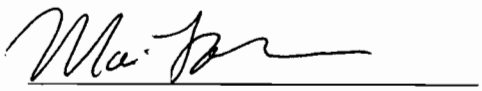
UTAH DEPARTMENT OF COMMERCE

Jennie T. Jonsson, Presiding Officer

I hereby certify that on the 7 day of March, 2013, the undersigned served a true and correct copy of the foregoing document by first class mail, postage prepaid, to:

Mark James Sain
c/o David O. Black
Black & Argyle, P.C.
Williamsburg Office Park
5806 South 900 East
Salt Lake City, UT 84121

and caused a copy to be hand delivered to:

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

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