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

IN THE MATTER OF, MARK JAMES SAIN RESPONDENT.

MOTION FOR ENLARGEMENT OF TIME AND FOR LEAVE TO AMEND ORDER TO SHOW CAUSE
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CASE NO. SD- 12-0076

COMES NOW the undersigned Assistant Attorney General, Paul G. Amann, and hereby respectfully moves this tribunal to enlarge the time for discovery deadlines and to allow an amendment to the pending Order to Show Cause (OSC).

The bases for the motion for enlargement of time are: 1) The hearing date was extended to July 25, 2013; however, the rest of the dates in the initial scheduling order were not similarly adjusted; 2) The parties have recently met to discuss this matter; 3) Both parties require more time to appropriately meet the previously set deadlines; and 4) Respondent's counsel has stipulated to extending the deadlines. Therefore, the Division respectfully requests continuing the deadlines as follows:

- 1) Proposed deadline for disclosure of expert witness: June 10, 2013;
- 2) Proposed deadline for final disclosures: June 10, 2013.

The bases for the motion for leave to amend the OSC are: 1) There is a clerical error contained in the original OSC; 2) That error has been brought to the attention of Respondent and his counsel; 3) Respondent, through counsel, has stipulated to the filing of the Amended OSC; and 4) the proposed Amended OSC has been tendered to Respondent's counsel, although counsel has not yet had an opportunity to provide input with respect to revisions.

Counsel for the Division attempted to obtain a stipulation to this motion, however, counsel for the Respondent is unavailable to address this motion today due to his attendance at Continuing Legal Education.

DATED this 17th day of May, 2013.

JOHN E. SWALLOW
UTAH ATTORNEY GENERAL



PAUL G. AMANN
Assistant Attorney General

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of May, 2013, I emailed a true and correct copy of the foregoing to the following:

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