

DIVISION OF SECURITIES  
KEITH WOODWELL, DIRECTOR  
DEPARTMENT OF COMMERCE  
P.O. BOX 146760  
160 EAST 300 SOUTH  
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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:

**ORDER ON MOTION FOR  
ENLARGEMENT OF TIME AND FOR  
LEAVE TO AMEND ORDER TO SHOW  
CAUSE**

**AMENDED SCHEDULING ORDER**

**MARK JAMES SAIN,**  
RESPONDENT

**CASE NO. SD-12-0076**

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**BY THE PRESIDING OFFICER:**

Pursuant to an agreement of the parties, the Utah Division of Securities (Division) has leave to file with the presiding office an amended version of its order to show cause, as has been previously provided to Respondent. Also pursuant to the parties' agreement, the scheduling order issued March 7, 2013 in this matter is hereby amended as follows:

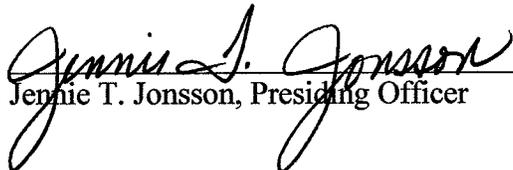
1. Any motion for summary judgment, judgment on the pleadings, or other dispositive motion shall be filed no later than May 23, 2013. If any such motion is filed, the non-moving party shall have ten calendar days from the date of filing to respond, and the

moving party shall have five business days from the date of response to reply. *See* Utah Administrative Code §§ R151-4-303(2) and R151-4-107(2).

2. Oral argument on any dispositive motion filed by May 23, 2013 shall take place on June 19, 2013 at 9:00 A.M. at the Division of Securities, 2<sup>nd</sup> Floor, 160 East 300 South, Salt Lake City, Utah. Following oral argument, the presiding officer will issue a recommended order, which will be presented to the Utah Securities Commission (Commission) in a public meeting, notice of which shall be provided to Respondent promptly upon its being scheduled.
3. If the Commission does not resolve the case through an order issued on a dispositive motion, the presiding officer will convene a status conference with the parties to establish deadlines for completion of discovery, disclosure of expert witnesses, filing of final disclosures, and hearing. The parties are hereby placed on notice that, pursuant to Utah Administrative Code § R151-4-109(2)(a), the hearing must take place by September 11, 2013 unless the parties stipulate to consider the filing date of the Division's amended order to show cause as the date of the notice of agency action.

DATED this 20<sup>th</sup> day of May, 2013.

UTAH DEPARTMENT OF COMMERCE

  
Jennie T. Jonsson, Presiding Officer

**CERTIFICATE OF SERVICE**

I hereby certify that on the 20<sup>th</sup> day of May, 2013, the undersigned served a true and correct copy of the foregoing document *by electronic mail only* to:

Mark James Sain  
c/o David O. Black  
doblaw@comcast.net

Paul G. Amann  
pamann@utah.gov

Ann Skaggs  
askaggs@utah.gov

A handwritten signature in black ink, reading "Jannin L. Jonsson". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.