

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:

**NATHAN S. TOOLE,**  
RESPONDENT.

**ORDER ON MOTION TO STAY  
PROCEEDINGS**

**CASE NO. SD-12-0077**

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**BY THE PRESIDING OFFICER:**

On January 31, 2013, the Utah Division of Securities (Division), by and through its counsel of record D. Scott Davis, filed a motion to stay the administrative proceedings in this matter due to the possibility that criminal charges might be filed against Respondent on allegations similar, or related, to those on which this administrative action has been brought. Respondent, by and through his counsel of record Mark Pugsley, agrees that it is appropriate to stay the matter. In these circumstances, the presiding officer finds that granting the motion for stay is warranted.

**ORDER**

The administrative proceedings in Division case number SD-12-0077 are stayed. If a criminal case is filed within four months of the date of this order, the stay may remain in effect

pending entry by Respondent of a plea of guilty or no contest to one or more criminal charges, entry of a criminal conviction against Respondent, or dismissal of the related criminal proceeding. In these circumstances, Respondent shall notify the Division within five (5) days of resolving the criminal case through plea, conviction, or dismissal. If a criminal case is not filed within four months of the date of this order, this matter shall come under further review by the presiding officer.

The prehearing conference currently scheduled for March 6, 2013 is continued and will be rescheduled once the stay is lifted.

This order shall be effective on the signature date below.

DATED this 31<sup>st</sup> day of January, 2013.

UTAH DEPARTMENT OF COMMERCE

  
Jennie T. Jonsson  
Presiding Officer

CERTIFICATE OF SERVICE

I hereby certify that on the 1<sup>st</sup> day of February, 2013, the undersigned served a true and correct copy of the foregoing ORDER ON MOTION TO STAY PROCEEDINGS on the parties in this proceeding by mailing a copy, properly addressed by first-class mail with postage prepaid, to:

Nathan S. Toole  
5420 Wayman Lane  
Salt Lake City, UT 84117

Mark Pugsley  
Ray, Quinney & Nebeker  
36 S. State St., Suite 1400  
Salt Lake City, UT 84111

and caused a copy to be hand delivered to:

D. Scott Davis, Assistant Attorney General  
Office of the Attorney General of Utah  
Fifth Floor, Heber M. Wells Building  
Salt Lake City, Utah

Utah Division of Securities  
Second Floor, Heber M. Wells Building  
Salt Lake City, Utah

