

PAUL G. AMANN (6465)
Assistant Attorney General
JOHN E. SWALLOW (5802)
Utah Attorney General
Attorneys for the State of Utah
160 East 300 South, 5th Floor
P.O. Box 140872
Salt Lake City, Utah 84114-0872
Telephone (801) 366-0196
Facsimile: (801) 366-0315
Email: pamann@utah.gov

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

IN THE MATTER OF,

JARED BRENT MUIR,

RESPONDENT.

PETITIONER'S RESPONSE TO
RESPONDENT MUIR'S REQUEST FOR
PRODUCTION OF DOCUMENTS

DOCKET NO. SD- 13-0008

The undersigned Assistant Attorney General, Paul G. Amann, on behalf of the State of Utah, Department of Commerce, Securities Division (Division), hereby submits the following Response to Respondent Muir's Request for Production of Documents as follows:

GENERAL OBJECTIONS

1. The Division objects to the Requests in their entirety to the extent that they are overbroad or purport to impose obligations upon them that exceed those set forth in the relevant discovery rules with govern this administrative action.
2. The Division objects to the Requests in their entirety to the extent that they purport to require the production of documents that are not in its possession, custody, or control.
3. No objection or limitation, or lack thereof, or statement that the Division will

produce documents made in these Responses and Objections constitutes an admission as to the existence or nonexistence of documents or information by the Division.

4. The Division objects to the Requests in their entirety to the extent that they are vague, ambiguous, confusing, and contrary to the plain meaning of the terms involved.

5. The Division objects to the Requests in their entirety to the extent that that they are not reasonably calculated to lead to the discovery of admissible evidence in that they seek the disclosure of information, or the production of documents, that are inadmissible and constitute material protected from disclosure.

6. The Division objects to the Requests in their entirety to the extent that they are not reasonably calculated to lead to the discovery of admissible evidence in that the information sought would not be admissible pursuant to the relevant rules of evidence.

7. The Division objects to the Requests in their entirety to the extent that they are duplicative of requests served by other parties in the above-captioned cases related to the Division, including but not limited to requests to advisors to the Division, Division's counsel or Division Individuals, as defined in the requests.

8. The Division's Responses and Objections to the Requests or its production of any documents shall not be construed as: (i) an admission as to the relevance, admissibility, or materiality of any such documents or their subject matter; (ii) a waiver or abridgment of any applicable privilege; or (iii) an agreement that requests for similar documents will be treated similarly.

9. The Division reserves all of its rights, including its right to supplement, amend, or correct any of its Responses and Objections to the Requests and its right to object to the admissibility of any part of any document produced in response to the Requests or information contained in any such document.

10. The Division objects to the Requests in their entirety to the extent that they purport to call for production of documents that are equally in Muir's possession, custody or control, or available from public sources.

11. The Division objects to the terms "any" and "all" as used throughout the Requests as overly broad and unduly burdensome. The Division will make a good faith, reasonable, and diligent effort to locate responsive documents, consistent with any General or Specific Objections. In searching for documents, the Division will conduct a thorough and

reasonable search for its records kept in the ordinary course of business, where information, documents or other things responsive to this discovery are most likely to be found. The Division has also sought information from those persons who are most likely to know of information or documents or other things responsive to the Requests. To the extent the Requests seek documents that are not reasonably accessible because they cannot be retrieved, or produced without undue burden or cost, such as backup tapes intended for disaster recovery, the Division objects to the Requests as overly broad and unduly burdensome.

RESPONSES AND SPECIFIC OBJECTIONS TO REQUESTS

Respondent seeks:

REQUEST NO. 1a.) All business records for U.S. Tiger, LLC, including, but not limited to,

a. All Certificates of Stock issued by U.S. Tiger, Inc. to its shareholders;

RESPONSE NO. 1a.) *All documents relevant to this request in the Division's possession have previously been provided.*

REQUEST NO. 1b.) b. A list of registered stock holders;

RESPONSE NO. 1b.) *All documents relevant to this request in the Division's possession have previously been provided, to wit, email from Leffler listing shareholders. No other, more formal reduction to writing has been provided to the Division.*

REQUEST NO. 1c. Minutes of shareholder meetings held between August 1, 2011 [and] June 30, 2012;

RESPONSE NO. 1c. *The Division has no such document.*

REQUEST NO. 1d. Minutes of Board of Director meetings held between August 1, 2011 [and] June 30, 2012.

RESPONSE NO. 1e. *The Division has no such document.*

REQUEST NO. 1e. Tax records for 2011 and 2012.

RESPONSE NO. 1e. *The Division objects to this request on the basis of vagueness. Without waiving said objection, assuming the records sought are those of U.S. Tiger, Respondent Muir has the capability to seek*

those records from U.S. Tiger. The Division has no such document.

REQUEST NO. 1f. A copy of the Bylaws as referenced in an April 24, 2012 e-mail from Adam Leffler to Lisa Giasi and Suzanne Silva.

RESPONSE NO. 1f. *The Division has no such document.*

REQUEST NO. 2a.) All correspondence between Lisa Marie Giasi and Jared Muir between August 1, 2011 [and] June 30, 2012, including, but not limited to,

a. Email;

RESPONSE NO. 2a.) *Any emails relevant to this request which are in the Division's possession have previously been provided.*

REQUEST NO. 2b.) Text messages;

RESPONSE NO. 2b.) *The Division has no such document.*

REQUEST NO. 2c.) Voicemail, including a copy of the "cell phone message from Jared Muir" Lisa Marie Giasi states she has saved on her cell phone on page 6, Block B(3) of her complaint.

RESPONSE NO. 2c) *Based on Respondent Muir's request, the Division has obtained a copy of this recording and it is attached herewith. Also, for the parties' convenience, attached hereto is a transcript of that call.*

The Division reserves the right to amend its disclosures with other evidence as may become known through its investigation, discovery or other avenues.

DATED this 22ND day of July, 2013.

JOHN E. SWALLOW
UTAH ATTORNEY GENERAL



PAUL G. AMANN
Assistant Attorney General

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of July, 2013, I sent via first class mail a true and correct copy of the foregoing together with one compact disc containing the subject phone call to the following:

Jalyn Peterson, Esq.
Counsel for Respondent Muir
2225 East Murray Holladay Rd., Suite 111
Salt Lake City, Utah 84117
Email: jalyn@seblegal.com



Maria Lohse
Administrative Assistant