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By XV SALT LAKE COUNTY CLERK

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IN THE THIRD JUDICIAL DISTRICT COURT IN AND FOR
SALT LAKE COUNTY, STATE OF UTAH

THE STATE OF UTAH : AFFIDAVIT OF
Plaintiff, : PROBABLE CAUSE
Vs. :
GILES H. FLORENCE : Case No: 081900760
DOB: September 6, 1923 :
Defendant. : Judge _____

STATE OF UTAH)
:ss
COUNTY OF SALT LAKE)

I, DAVE HERMANSEN, being first duly sworn upon oath, depose and state the following:

1. I am an Investigator for the State of Utah, Department of Commerce, Division of Securities. I have been employed in this capacity for the past sixteen years. My investigative work has consisted of brokerage firm audits and investigations involving securities

fraud. I have also been employed in the private sector of the securities industry as a stockbroker for an additional eight years. I am a graduate of Weber State University.

2. This investigation was opened by the Utah Division of Securities (“Division”) on May 13, 2005 as a result of a complaint filed by Christopher Olson and subsequent complaints filed by Michael Andrews (“M. Andrews”), Samuel Andrews (“S. Andrews”) and Scott Lewis. The complaints listed above allege fraudulent conduct against Giles H. Florence and Tin Cup Mining Corporation which is controlled by Florence.

INVESTIGATION BACKGROUND

3. During the course of this investigation, I have interviewed and/or received information from the following individuals: M. Andrews (victim), S. Andrews (victim), Lewis (victim), Bill Armstrong (victim), Linda Selander (victim), Christopher Olson, Florence (defendant), Bruce H. Shapiro (defendant’s attorney), James Barber (defendant’s attorney), Arthur Lee Bishop (defendant’s attorney) and others.

4. My review of the corporation documents on file with Nevada Secretary of State indicate that Tin Cup was registered in the State of Nevada on May 18, 1998. The registration was revoked on June 1, 2005. Florence was listed as the company’s president and treasurer.

5. In December 2002, in Salt Lake County, State of Utah, Florence met with M. Andrews to discuss a gold bullion investment. Florence told M. Andrews that his company, Tin Cup, needed funds to begin immediate gold production from its Tonopah Divide Gold Mining Co. (aka “Divide”) mining claim located in the state of Nevada, and the Heritage Mine located in California.

6. To entice M. Andrews to invest, Florence stated that Tin Cup owned all the milling and mining equipment near the Divide mill site and that production would begin immediately. Based upon Florence's statements, M. Andrews and Florence signed a "Gold Bullion Contract" whereby M. Andrews agreed to buy 200 ounces of gold which would be produced from the Divide mine before July 15, 2003. However, in the event of default, Tin Cup and Florence agreed to return the investment and pay 6% interest by the due date (promissory note). On December 13, 2002, M. Andrews issued a cashier's check in the amount of \$32,350 to finalize this investment.

7. Tin Cup and Florence failed to deliver the gold bullion and failed to repay M. Andrews his principal investment with 6% interest. Furthermore, Florence's promise to begin immediate production of the mines never transpired.

8. Based upon my investigation, Tin Cup never owned the Divide and Heritage Mines where the gold was to be produced, as stated by Florence. On October 4, 2007, I contacted Florence regarding the ownership of these two mining claims that he told me that Tin Cup had never owned the two mining claims, but at one time he had had options to purchase them.

9. My investigation has revealed that Florence's claim that Tin Cup owned the mining and milling equipment was false. Documents obtained in my investigation reveal that Florence had previously signed a contract on behalf of F&S Enterprises (another entity owned and controlled by Florence) to purchase the equipment.

10. In my conversation with Florence on October 4, 2007, I asked him if he provided a prospectus or offering circular regarding Tin Cup and the mining claims to M. Andrews prior to his investment. Florence stated that he had not. Consequently, Florence omitted to inform M. Andrews of some or all of the following information upon which he could make an informed investment decision:

- a. Risk Factors;
- b. Conflicts of interest;
- c. Names and addresses of officers and directors and their functions;
- d. Background information (mining experience) of the officers and directors;
- e. Use of Proceeds;
- f. Capitalization;
- g. Salaries and Compensation;
- h. Financial Statement;

11. On or about January 6, 2003, in Salt Lake County, State of Utah, Florence solicited M. Andrews to invest \$16,175 into a second Gold Bullion Contract with Tin Cup.

12. To entice M. Andrews to invest, Florence guaranteed that gold production would occur within 45 to 120 days. In addition, Florence stated that if M. Andrews made this investment he would be able to purchase additional bullion from Tin Cup at a 50% discount to the spot price of gold. Based upon Florence's guarantee to be in operation no later than 120 day and the option to purchase bullion at a 50% discount and his previous statements listed above, on January 6, 2003, M. Andrews issued a cashier's check made payable to Tin Cup for \$16,175 to finalize the investment. According to the contract, M. Andrews would receive 100 ounces of gold (valued at a minimum of \$32,350) produced from the Divide or Heritage Mines on or before July 15, 2003. In the event of default M Andrews would receive 6% interest in addition

to his principal investment (promissory note).

13. Tin Cup and Florence failed to deliver the gold bullion and repay M. Andrews his principal investment with 6% interest, as outlined in the promissory note.

14. As outlined above, Tin Cup never owned the milling equipment nor the mining claims where the gold was to be produced as stated by Florence. Furthermore, to this date, the Heritage and Divide mining claims have never started production as promised by Florence.

15. As outlined above, Florence admitted to me that neither he nor Tin Cup provided a Tin Cup prospectus to M. Andrews prior to his investment. Therefore, Florence omitted to provide information upon which M. Andrews could make an informed investment decision.

**COUNT 1
SECURITIES FRAUD
(Or in the alternative)
THEFT BY DECEPTION
a second degree felony**

16. On or about January 31, 2003, in Salt Lake County, State of Utah, Florence solicited M. Andrews to loan \$20,000 to Tin Cup for a ninety (90) day “Short Term Operating Loan” to assist in current operating expenses.

17. To entice M. Andrews to invest, Florence stated that the Heritage Mine in California could be producing gold immediately which would be much quicker than the Divide mine. Consequently, Tin Cup needed short term operating funds to begin production. Based upon these representation by Florence, on January 31, 2003, M. Andrew signed the agreement and issued a cashier’s check made payable to Tin Cup for \$20,000. In return, the promissory note issued by Florence stated M. Andrews would receive his principal investment

within 90 days and 200 ounces of gold produced by the Divide or Heritage mines within eight months of signing the contract.

18. Tin Cup and Florence failed to repay the \$20,000 promissory note and deliver the 200 ounces of gold bullion representing the interest for the loan.

19. As outlined above, Tin Cup never owned the milling equipment nor the mining claims where the gold was to be produced as stated by Florence. Furthermore, to this date, the Heritage and Divide mining claims have never started production as promised by Florence.

20. As outlined above, Florence admitted to me that neither he nor Tin Cup provided a Tin Cup prospectus to M. Andrews prior to his investment. Therefore, Florence omitted to provide information upon which M. Andrews could make an informed investment decision.

COUNT 2
SECURITIES FRAUD
(Or in the alternative)
THEFT BY DECEPTION
a second degree felony

21. On or about February 19, 2003, in Salt Lake County, State of Utah, Florence solicited M. Andrews a second time to loan \$20,000 to Tin Cup for a "Short Term Operating Loan" to assist in current operating expenses to get the Divide and Heritage mining claims into production.

22. To entice M. Andrews to invest, Florence stated that the mining operations were ready to produce gold but needed a very short term loan to meet expenses. In addition, Florence promised to repay the investment with 100% interest within 30 days (total amount \$40,000). On February 19, 2003, M. Andrews issued two personal checks totaling \$20,000 made payable to

Tin Cup and gave them to Florence. In return, Florence provided him with a promissory note outlining the terms stated above.

23. Tin Cup and Florence failed to repay the \$20,000 investment with interest as outlined in the promissory note.

24. As outlined above, Tin Cup never owned the milling equipment nor the mining claims where the gold was to be produced as stated by Florence. Furthermore, to this date, the Heritage and Divide mining claims have never started production as promised by Florence.

25. As outlined above, Florence admitted to me that neither he nor Tin Cup provided a Tin Cup prospectus to M. Andrews prior to his investment. Therefore, Florence omitted to provide information upon which M. Andrews could make an informed investment decision.

26. M. Andrews has received a payment of \$6,000 from Tin Cup for his 4 investments.

**COUNT 3
SECURITIES FRAUD
(Or in the alternative)
THEFT BY DECEPTION
a second degree felony**

27. On or about March 24, 2003, in Salt Lake County, State of Utah, Florence solicited S. Andrews to loan \$20,000 to Tin Cup for a sixty (60) day "Short Term Operating Loan" for the purpose of meeting current operating expenses.

28. In return, S. Andrews was told by Florence that he would receive his full principal within 60 days and a return of 100% in interest (total of \$40,000). In addition, S. Andrews would receive 100 ounces of gold bullion within six months from production from the Divide or Heritage Mines. On March 24, 2003, S. Andrews signed the Agreement (promissory note) and

wired the funds to Tin Cup as instructed by Florence.

29. Tin Cup and Florence failed to repay the principal of \$20,000 and the interest consisting of \$20,000 and 100 ounces of gold bullion.

30. Based upon my interview with S. Andrews, Florence omitted to inform him that Tin Cup was in default on a 30 day promissory note owed to M. Andrews in the amount of \$20,000.

31. In my conversation with Florence on October 4, 2007, I asked him if he provided a prospectus or offering circular regarding Tin Cup and the mining claims to any of the investors prior to their investment. Florence stated that he had not. Consequently, Florence omitted to inform S. Andrews of some or all of the following information upon which he could make an informed investment decision:

- a. Names and addresses of officers and directors and their functions;
- b. Background information (mining experience) of the officers and directors;
- c. Conflicts of interest;
- d. Risk Factors;
- e. Use of Proceeds;
- f. Capitalization;
- g. Salaries and Compensation;
- h. Financial Statement;

**COUNT 4
SECURITIES FRAUD
(Or in the alternative)
THEFT BY DECEPTION
a second degree felony**

32. On or about April 7, 2003, in Salt Lake County, State of Utah, Florence solicited Lewis to loan \$20,000 to Tin Cup for a "Short Term Operating Loan" to assist in current operating expenses. In return, Lewis would receive his full principal within 6 months and an

additional \$20,000 for interest (total of \$40,000). The promissory note was signed and Scott Lewis transferred the \$20,000 from his personal bank account to Tin Cup.

33. Tin Cup and *Florence* failed to repay the principal amount of \$20,000 and the interest of \$20,000.

34. Based upon my interview with Lewis, Florence omitted to inform him that Tin Cup was in default on a 30 day promissory note owed to M. Andrews in the amount of \$20,000. In my conversation with Florence on October 4, 2007, I asked him if he provided a prospectus or offering circular regarding Tin Cup and the mining claims to any of the investors prior to their investment. Florence stated that he had not. Consequently, Florence omitted to inform Lewis of some or all of the following information upon which he could make an informed investment decision:

- a. Names and addresses of officers and directors and their functions;
- b. Background information (mining experience) of the officers;
- c. Conflicts of interest;
- d. Risk Factors;
- e. Use of Proceeds;
- f. Capitalization;
- g. Salaries and Compensation;
- h. Financial Statement;

**COUNT 5
SECURITIES FRAUD
(Or in the alternative)
THEFT BY DECEPTION
a second degree felony**

35. On or about May 12, 2003, in Salt Lake County, State of Utah, Florence solicited Lewis a second time to loan \$12,000 to Tin Cup to assist in current their operating expenses. In

return, Lewis would receive \$40,000 on or before June 7, 2003, reaffirming payment for prior investments, and an additional \$40,000 from gold production or other available funds within six months of start-up mining. Lewis transferred the \$12,000 from his personal bank account and Florence issued him a promissory note.

36. Tin Cup and Florence have failed to repay Lewis any of his principal or interest as outlined in the promissory note.

37. Based upon my interview with Lewis, Florence omitted to inform him that Tin Cup was in default on a 30 day promissory note owed to M. Andrews in the amount of \$20,000. In addition, Florence omitted to inform him that Tin Cup was also in default on a second note owed to M. Andrews in the amount of \$20,000.

38. In my conversation with Florence on October 4, 2007, I asked him if he provided a prospectus or offering circular regarding Tin Cup and the mining claims to any of the investors prior to their investment. Florence stated that he had not. Consequently, Florence omitted to inform Lewis of some or all of the following information upon which he could make an informed investment decision:

- a. Names and addresses of officers and directors and their functions;
- b. Background information (mining experience) of the officers;
- c. Conflicts of interest;
- d. Risk Factors;
- e. Use of Proceeds;
- f. Capitalization;
- g. Salaries and Compensation;
- h. Financial Statement;

COUNT 6
SECURITIES FRAUD
(Or in the alternative)
THEFT BY DECEPTION
a second degree felony

39. Based upon previous solicitations by Florence and the terms of the promissory notes listed above. On or about July 9, 2003, Lewis decided to invest an additional \$20,000 and wire transferred the funds to Tin Cup. On July 10, 2003, Florence signed a receipt document acknowledging the funds were received.

40. Tin Cup and Florence have failed to repay Lewis any of his principal or interest as outlined in the promissory note.

41. Based upon my interview with Lewis, Florence omitted to inform him that Tin Cup was in default on a 30 day promissory note owed to M. Andrews in the amount of \$20,000. In addition, Florence omitted to inform him that Tin Cup was also in default on a second note owed to M. Andrews in the amount of \$20,000.

42. In my conversation with Florence on October 4, 2007, I asked him if he provided a prospectus or offering circular regarding Tin Cup and the mining claims to any of the investors prior to their investment. Florence stated that he had not. Consequently, Florence omitted to inform Lewis of some or all of the following information upon which he could make an informed investment decision:

- a. Names and addresses of officers and directors and their functions;
- b. Background information (mining experience) of the officers;
- c. Conflicts of interest;
- d. Risk Factors;
- e. Use of Proceeds;
- f. Capitalization;

- g. Salaries and Compensation;
- h. Financial Statement;

43. My investigation has revealed that Florence and Tin Cup received a total of \$160,525.00 from investors and from that amount, a total of \$6,000 was repaid to investor Mike Andrews, leaving a principal investment amount owing to investors of \$154,525.

**COUNT 7
PATTERN OF UNLAWFUL ACTIVITY,
a second degree felony**

44. Commencing on or about December 2002, the defendant engaged in conduct which constituted the commission of at least three episodes of unlawful activity as defined in Utah Code Ann. § 76-10-1603. The defendant: (1) received proceeds derived, directly or indirectly, from a pattern of unlawful activity as more fully defined above, in which he participated as a principal, or he used or invested, directly or indirectly, any part of that income, or the proceeds of the income, or the proceeds derived from the investment or use of those proceeds, in the acquisition of any interest in, or establishment or operation of, any enterprise; (2) through a pattern of unlawful activity acquired or maintained, directly or indirectly, any interest in or control of any enterprise; or (3) was employed by, or associated with any enterprise and conducted or participated, whether directly or indirectly, in the conduct of that enterprise's affairs through a pattern of unlawful activity. The unlawful activity included three or more violations of securities fraud (or in the alternative theft by deception). This is a violation of Utah Code Ann. § 76-10-1603(5), a second degree felony.

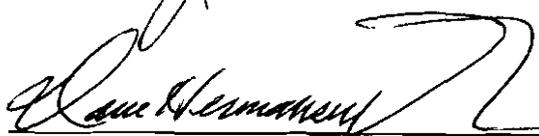
SUMMARY

45. Based on my review of the evidence there is probable cause to believe that GILES H. FLORENCE has committed the crimes of:

**SECURITIES FRAUD
(or in the alternative)
THEFT BY DECEPTION
a second degree felony, 6 counts**

**PATTERN OF UNLAWFUL ACTIVITY
a second degree felony, 1 count**

DATED this 29th day of January, 2008.

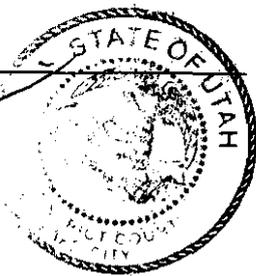


DAVE HERMANSEN, Affiant

SUBSCRIBED AND SWORN to before me on this
29 day of Jan
2008.



JUDGE, THIRD DISTRICT COURT



FILED DISTRICT COURT
Third Judicial District

JAN 29 2008

By XX SALT LAKE COUNTY
Deputy Clerk

E. NEAL GUNNARSON, Bar No. 1273
Assistant Attorney General
MARK L. SHURTLEFF, Bar No. 4666
Utah Attorney General
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IN THE THIRD JUDICIAL DISTRICT COURT IN AND FOR
SALT LAKE COUNTY, STATE OF UTAH

THE STATE OF UTAH, : Bail \$ _____
 :
 Plaintiff, :
 : **CRIMINAL INFORMATION**
 vs. :
 :
 GILES H. FLORENCE, : Case No: 081900760
 :
 DOB: September 6, 1923 :
 : Judge _____
 :
 Defendant. :

The undersigned, Investigator DAVE HERMANSEN, upon oath, states on information and belief that the defendant has committed the following crimes:

- SECURITIES FRAUD, a second degree felony, 6 counts**
- (Or in the alternative)**
- THEFT BY DECEPTION, a second degree felony, 6 counts**

- PATTERN OF UNLAWFUL ACTIVITY, a second degree felony, 1 count**

COUNT 1
SECURITIES FRAUD
a second degree felony

Commencing on or about January 2003, in the State of Utah, County of Salt Lake, the defendant, in connection with the offer or sale of a security, directly or indirectly, to **MICHAEL ANDREWS**, made untrue statements of material facts or omitted to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; or engaged in an act, practice, or course of business which operated or would operate as a fraud or deceit, in violation of Utah Code Ann. §§61-1-1 and 61-1-21. This violation is a second degree felony under Utah Law.

Or in the Alternative
THEFT BY DECEPTION
a second degree felony

Commencing on or about January 2003, in Salt Lake County, Utah, and in violation of Utah Code Ann. § 76-6-405, the defendant, obtained or exercised control over the property of **MICHAEL ANDREWS**, by deception and with a purpose to deprive him thereof. The value of the property, money or thing obtained is more than \$5,000.00, a second degree felony.

COUNT 2
SECURITIES FRAUD
a second degree felony

Commencing on or about February 2003, in the State of Utah, County of Salt Lake, the defendant, in connection with the offer or sale of a security, directly or indirectly, to **MICHAEL ANDREWS**, made untrue statements of material facts or omitted to state material facts

necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; or engaged in an act, practice, or course of business which operated or would operate as a fraud or deceit, in violation of Utah Code Ann. §§61-1-1 and 61-1-21. This violation is a second degree felony under Utah Law.

Or in the Alternative
THEFT BY DECEPTION
a second degree felony

Commencing on or about February 2003, in Salt Lake County, Utah, and in violation of Utah Code Ann. § 76-6-405, the defendant, obtained or exercised control over the property of **MICHAEL ANDREWS**, by deception and with a purpose to deprive him thereof. The value of the property, money or thing obtained is more than \$5,000.00, a second degree felony.

COUNT 3
SECURITIES FRAUD
a second degree felony

Commencing on or about March 2003, in the State of Utah, County of Salt Lake, the defendant, in connection with the offer or sale of a security, directly or indirectly, to **SAMUEL ANDREWS**, made untrue statements of material facts or omitted to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; or engaged in an act, practice, or course of business which operated or would operate as a fraud or deceit, in violation of Utah Code Ann. §§61-1-1 and 61-1-21. This violation is a second degree felony under Utah Law.

Or in the Alternative
THEFT BY DECEPTION
a second degree felony

Commencing on or about March 2003, in Salt Lake County, Utah, and in violation of Utah Code Ann. § 76-6-405, the defendant, obtained or exercised control over the property of **SAMUEL ANDREWS**, by deception and with a purpose to deprive him thereof. The value of the property, money or thing obtained is more than \$5,000.00, a second degree felony.

COUNT 4
SECURITIES FRAUD
a second degree felony

Commencing on or about April 2003, in the State of Utah, County of Salt Lake, the defendant, in connection with the offer or sale of a security, directly or indirectly, to **SCOTT LEWIS**, made untrue statements of material facts or omitted to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; or engaged in an act, practice, or course of business which operated or would operate as a fraud or deceit, in violation of Utah Code Ann. §§61-1-1 and 61-1-21. This violation is a second degree felony under Utah Law.

Or in the Alternative
THEFT BY DECEPTION
a second degree felony

Commencing on or about April 2003, in Salt Lake County, Utah, and in violation of Utah Code Ann. § 76-6-405, the defendant, obtained or exercised control over the property of **SCOTT LEWIS**, by deception and with a purpose to deprive him thereof. The value of the

property, money or thing obtained is more than \$5,000.00, a second degree felony.

COUNT 5
SECURITIES FRAUD
a second degree felony

Commencing on or about May 2003, in the State of Utah, County of Salt Lake, the defendant, in connection with the offer or sale of a security, directly or indirectly, to **SCOTT LEWIS**, made untrue statements of material facts or omitted to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; or engaged in an act, practice, or course of business which operated or would operate as a fraud or deceit, in violation of Utah Code Ann. §§61-1-1 and 61-1-21. This violation is a second degree felony under Utah Law.

Or in the Alternative
THEFT BY DECEPTION
a second degree felony

Commencing on or about May 2003, in Salt Lake County, Utah, and in violation of Utah Code Ann. § 76-6-405, the defendant, obtained or exercised control over the property of **SCOTT LEWIS**, by deception and with a purpose to deprive him thereof. The value of the property, money or thing obtained is more than \$5,000.00, a second degree felony.

COUNT 6
SECURITIES FRAUD
a second degree felony

Commencing on or about July 2003, in the State of Utah, County of Salt Lake, the defendant, in connection with the offer or sale of a security, directly or indirectly, to **SCOTT**

LEWIS, made untrue statements of material facts or omitted to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; or engaged in an act, practice, or course of business which operated or would operate as a fraud or deceit, in violation of Utah Code Ann. §§61-1-1 and 61-1-21. This violation is a second degree felony under Utah Law.

Or in the Alternative
THEFT BY DECEPTION
a second degree felony

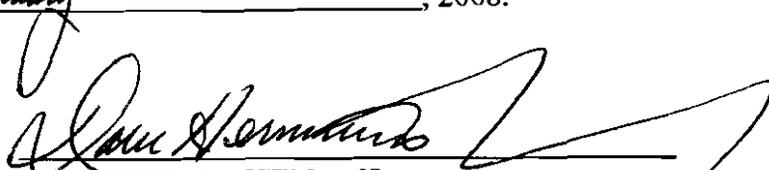
Commencing on or about July 2003, in Salt Lake County, Utah, and in violation of Utah Code Ann. § 76-6-405, the defendant, obtained or exercised control over the property of **SCOTT LEWIS**, by deception and with a purpose to deprive him thereof. The value of the property, money or thing obtained is more than \$5,000.00, a second degree felony.

COUNT 7
PATTERN OF UNLAWFUL ACTIVITY
a second degree felony

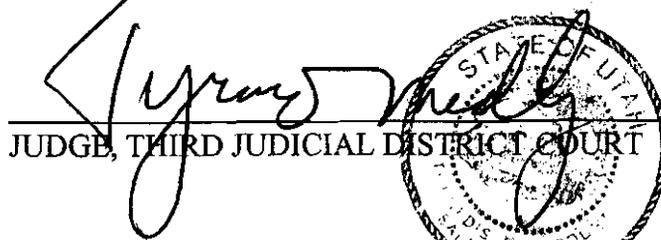
Commencing on or about December 2002, the defendant engaged in conduct which constituted the commission of at least three episodes of unlawful activity as defined in Utah Code Ann. § 76-10-1601. The defendant: (1) received proceeds derived, directly or indirectly, from a pattern of unlawful activity as more fully defined above, in which he participated as a principal, or he used or invested, directly or indirectly, any part of that income, or the proceeds of the income, or the proceeds derived from the investment or use of those proceeds, in the acquisition of any interest in, or establishment or operation of, any enterprise; (2) through a

pattern of unlawful activity acquired or maintained, directly or indirectly, any interest in or control of any enterprise; or (3) were employed by, or associated with any enterprise and conducted or participated, whether directly or indirectly, in the conduct of that enterprise's affairs through a pattern of unlawful activity. The unlawful activity included three or more violations of securities fraud (or in the alternative Theft by Deception). This is a violation of Utah Code Ann. §76-10-1601 and § 76-10-1603(5), et seq., a second degree felony.

DATED this 29 day of January, 2008.


DAVE HERMANSEN, Affiant

SUBSCRIBED AND SWORN to before me on this 29 day of Jan, 2008.


JUDGE, THIRD JUDICIAL DISTRICT COURT



This CRIMINAL INFORMATION is based upon evidence from the following witnesses:

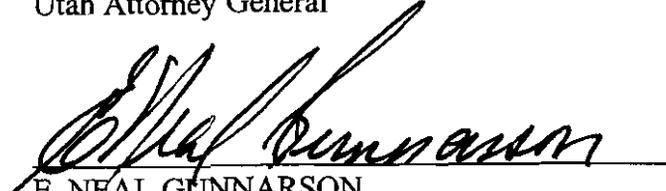
1. Michael Andrews
2. Samuel Andrews
3. Scott Lewis
4. Bill Armstrong
5. Linda Selander
6. Christopher Olson
7. Giles Florence
8. And Others.

APPROVED FOR PRESENTMENT AND FILING this 28 day of

January, 2008.

MARK L. SHURTLEFF
Utah Attorney General

By:


E. NEAL GUNNARSON
Assistant Attorney General

FILED 081900760
Third Judicial District Court

JAN 19 2008

By AA / SALT LAKE COUNTY CLERK

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IN THE THIRD JUDICIAL DISTRICT COURT IN AND FOR
SALT LAKE COUNTY, STATE OF UTAH

THE STATE OF UTAH, : Bail \$ _____
 :
 Plaintiff, :
 : **WARRANT OF ARREST**
 vs. :
 :
 GILES H. FLORENCE, : Case No: 081900760
 DOB: September 6, 1923 :
 : Judge: _____
 Defendant. :

THE STATE OF UTAH TO ANY PEACE OFFICER IN THE STATE OF UTAH,
GREETINGS:

An Information, upon oath, having been this day made before me by Investigator Dave Hermansen, and it appearing from the Information, or affidavit filed with the Information, that there is probable cause to believe that the public offense(s) of: **Securities Fraud, a second degree felony, 6 counts (or in the alternative, Theft by Deception, a second degree felony, 6 counts)**, has been committed, and that the defendant, GILES H. FLORENCE, has committed

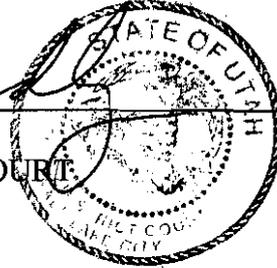
these offenses,

YOU ARE THEREFORE COMMANDED to arrest the above named defendant forthwith and bring the defendant before this court, or before the nearest or most accessible magistrate for setting bail. If the defendant has fled justice, you shall pursue the defendant into any other county of this state and there arrest the defendant. The offenses listed above are felonies.

Bail is set in the amount of \$ 50,000.

DATED this 29 day of Jan, 2008.

[Signature]
HONORABLE,
JUDGE, THIRD DISTRICT COURT



Defendant's Last Known Address:

1260 East 6200 South
Salt Lake City, UT 84121