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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

GARY PIERCE, Chairman
BOB STUMP
SANDRA D. KENNEDY
PAUL NEWMAN
BRENDA BURNS

2011 NOV -1 A 11: 16

AZ CORP COMMISSION
DOCKET CONTROL

IN THE MATTER OF:

DOCKET NO. S-20814A-11-0313

DAVID PAUL SMOOT and MARIE KATHLEEN SMOOT (a.k.a. "KATHY SMOOT"), husband and wife,

Arizona Corporation Commission

DOCKETED

NOV 1 2011

NATIVE AMERICAN WATER, L.L.C. (d.b.a. "NATAWA"), an Arizona limited liability company,

DOCKETED BY [Signature]

NATAWA CORPORATION (d.b.a. "NATAWA"), a Delaware corporation with a revoked authorization to conduct business in Arizona as a foreign corporation,

AMERICAN INDIAN TECHNOLOGIES INTERNATIONAL, L.L.C. (a.k.a. "AITI"), an Arizona limited liability company,

RESPONDENTS.

**PROCEDURAL ORDER
GRANTING ADMISSION
PRO HAC VICE**

BY THE COMMISSION:

On October 20, 2011, the Securities Division ("Division") filed the above-captioned matter alleging that Respondents David Paul Smoot, Native American Water, L.L.C. (d.b.a. "NATAWA"), NATAWA Corporation (d.b.a. "NATAWA"), and American Indian Technologies International, L.L.C. (a.k.a. "AITI"), have engaged in acts, practices, and transactions that constitute violations of the Securities Act of Arizona, A.R.S. § 44-1801 *et seq.*

On October 25, 2011, Michael D. Kimerer, of the firm of Kimerer & Derrick, P.C., filed with the Arizona Corporation Commission ("Commission") a Notice Appearance on behalf of all Respondents in this matter, and, pursuant to Arizona Supreme Court Rule 38(a), also filed a Motion to Associate Counsel Pro Hac Vice with Timothy J. Galligan of the Law Offices of Timothy J. Galligan in the above-captioned matter ("Motion"), on behalf of all Respondents in this matter. The Motion lists Mr. Kimerer as the designated member of the Arizona State Bar with whom communications may be made and upon whom papers should be served. Attached to the Motion is a

1 Application for Appearance Pro Hac Vice filed with the State Bar of Arizona for Mr. Galligan; a
2 copy of his certificate of good standing from the jurisdiction in which he has been admitted to
3 practice law; and a copy of the Notice of Receipt of Complete Application from the State Bar of
4 Arizona.

5 On November 1, 2011, the Commission's Securities Division filed its response to the Motion
6 indicating that it has no objection to the admission of Mr. Galligan as counsel *pro hac vice* in this
7 matter.

8 In the discretion of the Commission, Timothy J. Galligan should be permitted to appear and
9 participate in the above-captioned matter on behalf of all Respondents in this matter.

10 IT IS THEREFORE ORDERED that Timothy J. Galligan shall be admitted *pro hac vice* in
11 the above-captioned matter.

12 IT IS FURTHER ORDERED that the address for service of papers and other communications
13 for Mr. Galligan shall be:

14 Timothy J. Galligan
15 LAW OFFICES OF TIMOTHY J. GALLIGAN
16 5 Borealis Way
Castle Rock, CO 80108

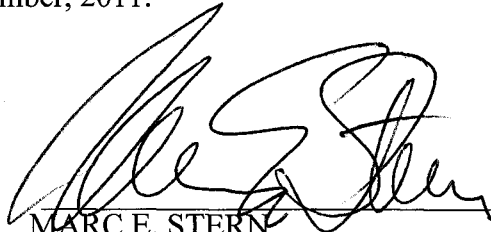
17 IT IS FURTHER ORDERED that the address for service of papers and other communications
18 for the Arizona-licensed attorney shall be:

19 Michael D. Kimerer
20 KIMERER & DERRICK, P.C.
21 221 East Indianola Ave
Phoenix, AZ 85012

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1 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance
2 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the
3 Rules of the Arizona Supreme Court). Representation before the Commission includes the obligation
4 to appear at all hearings and procedural conferences, as well as all Open Meetings for which the
5 matter is scheduled for discussion, unless counsel has previously been granted permission to
6 withdraw by the Administrative Law Judge.

7 DATED this 1ST day of November, 2011.

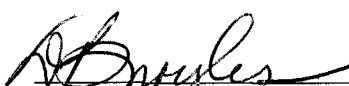
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10 
11 MARC E. STERN
12 ADMINISTRATIVE LAW JUDGE

13 Copies of the foregoing mailed/delivered
14 this 1ST day of November, 2011 to:

15 Timothy J. Galligan
16 LAW OFFICES OF TIMOTHY J. GALLIGAN
17 5 Borealis Way
18 Castle Rock, CO 80108

19 Michael D. Kimerer
20 KIMERER & DERRICK, P.C.
21 221 East Indianola Avenue
22 Phoenix, AZ 85012

23 Matt Neubert, Director
24 Securities Division
25 ARIZONA CORPORATION COMMISSION
26 1300 West Washington Street
27 Phoenix, AZ 85007

28 By: 
Debra Broyles
Secretary to Marc E. Stern