



**Board of Legal Document Preparers**  
Arizona State Courts Building  
1501 West Washington Street, Phoenix, Arizona 85007  
Conference Room 109

Date: December 21, 2009  
Time: 10:00 a.m. – 2:00 p.m.

**Approved Regular Meeting Minutes**

**MEMBER ATTENDANCE:**

**Present:**

Les Krambeal  
Paul Friedman  
Devon B Kunde

**Telephonically Present:**

Cynthia Felton  
Debra Griffin  
Andrew Saper  
Stephanie Gates Wolf  
Deborah A. Young

**Absent:**

Hon. Robert H. Oberbillig

**OTHER ATTENDEES**

**AOC Staff:**

Katherine Boots-Acting CLD  
Director  
Kandace French  
Linda Grau-telephonically  
Kimberly Siddall  
Tony Posante  
Karla Clanton  
Deborah MacDougall  
Nina Preston  
Deann Barker  
Bonnie Toms

**Guests:**

Janet Summers  
Michael Hawkins  
Brian Finn  
Don Lincoln  
Karen Tripd  
Tina Adams  
Ronald Casselman  
Tonya Casselman  
Patricia A Milino  
L Yoosip (name illegible)  
Krystena Marinello  
Karen S Nogle

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**CALL TO ORDER**

*Called to Order By:* Les Krambeal

*Time:* 10:02 a.m.

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**1) REVIEW AND APPROVAL OF MEETING MINUTES**

*1-A: Review, discussion, and possible approval of the regular session minutes of the meeting of October 26, 2009.*

*Individuals Addressing the Board:* Les Krambeal

*Discussion:* None

*Motion:* Move to approve the regular session minutes of the meeting of October 26, 2009

*Motion Proposals:* First Paul Friedman  
Second Stephanie Gates Wolf

*Motion Results:* Pass **LDP 09-284**

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**2) REVIEW OF PENDING COMPLAINTS**

*2-A: Review, discussion, and possible action regarding the following certificate holder complaints:*

*Complaint Number 09-L033 – Richard Hoyt and Hoyt & Associates, Inc*

*Individuals Addressing the Board:* Katherine Boots

*Discussion:* On November 9, 2009, Probable Cause Evaluator Baumstark entered a finding probable cause exists in complaint number 09-L033. It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding grounds for formal disciplinary action exists pursuant to ACJA § 7-201(H)(6)(a), (H)(6)(k)(2) and (H)(6)(k)(3) for acts of misconduct involving ACJA § 7-201(F)(1) and (F)(5)(a), ACJA § 7-208(F)(2), (J)(1)(a),

(J)(2)(c), (J)(3)(b), (J)(5)(a).

It is recommended, should the Board ultimately enter a finding these violations have occurred, the Board impose the following sanctions pursuant to ACJA § 7-201 (H)(24)(a)(6):

- a) Issue a Censure to Richard Hoyt and Hoyt and Associates, Inc., pursuant to ACJA § 7-201(H)(24)(a)(6)(b);
- b) Require Richard Hoyt and Hoyt and Associates, Inc. to comply with all disgorgement orders entered by the United States Bankruptcy Court, District of Arizona, and or the Ninth Circuit Court of Appeals, if applicable, within 30 days of entry of the Ninth Circuit's decision, if the appeal is not remanded to the District Court, and submit documentation of compliance with the disgorgement orders within 30 days; pursuant to ACJA § 7-201(H)(24)(a)(6)(h);
- c) Mandate Richard Hoyt participate in no less than five (5) additional hours of continuing education in the curriculum areas of ethics, professional responsibility, and the legislative and court rule making process, in addition to the annual ten (10) hour continuing education requirement, pursuant to ACJA § 7-201(H)(24)(a)(6)(f);
- d) Assess costs associated with the investigation and any related administrative proceedings involving complaint number 09-L033, pursuant to ACJA § 7-201 (H)(24)(a)(6)(j), and;
- e) Impose a civil penalty in the amount of \$250.00 per found violation, pursuant to ACJA § 7-201(H)(24)(a)(6)(k).

**Discussion:** Total cost the of investigation and related administrative expenses are unknown at this time.

**Motion:** Move to accept sanctions as listed above.

**Motion Proposals:** First Paul Friedman  
Second Devon Kunde

**Motion Results:** Pass **LDP 09-285**

**Individuals Addressing the Board:** Kandace French

**Discussion:** Formal Notice of Charges to be sent to Mr. Hoyt.

**Motion:** Move to authorize a Formal Notice of Charges on behalf of the state board.

**Motion Proposals:** First Paul Friedman

Second Devon Kunde

**Motion Results:** Pass **LDP 09-286**

***Complaint Number 09-L027 – Alenda Martin***

***Individuals Addressing the Board:*** Katherine Boots

***Discussion:*** On June 16, 2009, Probable Cause Evaluator Mike Baumstark entered a finding probable cause exists in complaint number 09-L027. It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding grounds for formal disciplinary action exists pursuant to ACJA § 7-201(H)(6)(a) and (H)(6)(k)(3) for an act of misconduct involving ACJA § 7-201(F)(1), ACJA § 7-208(F)(2), (J)(5)(b) and Arizona Supreme Court Rule 31(a)(2)(B).

It is further recommended the Board offer Martin a Consent Agreement to resolve this complaint, pursuant to ACJA § 7-201(H)(24)(a)(6)(c). It is recommended the proposed Consent Agreement include an acknowledgement of the misconduct, a statement giving notice to Martin that if she enters the Consent Agreement she waives her right to a hearing, and imposes the following sanctions pursuant to ACJA § 7-201 (H)(24)(a)(6):

- a) Issue a Censure to Martin, pursuant to ACJA § 7-201 (H)(24)(a)(6)(b);
- b) Order Martin participate in no less than three (3) hours of continuing education in the curriculum areas of professional responsibility, ethics, and the unauthorized practice of law, in addition to any hours otherwise required for renewal, pursuant to ACJA § 7-201 (H)(24)(a)(6)(f);
- c) Impose civil penalties in the amount of \$250.00 per found violation to be remitted no later than 60 days following entry of the Board’s Final Order, pursuant to ACJA § 7-201 (H)(24)(a)(6)(k).

In the event Martin declines the opportunity to enter the Consent Agreement within 20 days of receipt of the Board’s offer, it is recommended the matter proceed with the filing and service of Notice of Formal Statement of Charges pursuant to ACJA § 7-201(H)(10) without further Board order.

**Individuals Addressing the Board:** Linda Grau and Paul Friedman

**Discussion:** Three hours of continuing education based on proportionality of what has been done by the board in the past. There are minimal investigative fees at this time and, should the complaint be resolved quickly, none would be assessed.

**Motion:** Move to accept sanctions as listed above.

**Motion Proposals:** First Paul Friedman  
Second Devon Kunde

**Motion Results:** Pass **LDP 09-287**

**2-B: Review, discussion and possible action regarding the following complaint dismissed by the Division Director pursuant to Arizona Code of Judicial Administration § 7-201(D)(4)(a) and (H)(2)(b):**

**Complaint Number NC09-L074**

**Individuals Addressing the Board:** Katherine Boots

**Discussion:** On October 30, 2009, Certification and Licensing Division Director Nancy Swetnam dismissed the complaint with prejudice, finding the complaint falls outside the jurisdiction of the Arizona Supreme Court, court rules, the statutes, and the applicable sections of ACJA. Notice of the dismissal was forwarded to the complainant. No request for Board review was received from the complainant. It is recommended the Board affirm the dismissal.

Pursuant to ACJA § 7-201(H)(1)(g)(3), complaints dismissed by the Division Director are confidential and not a matter of public record.

**Discussion:** None

**Motion:** Move to affirm the complaint dismissal.

**Motion Proposals:** First Paul Friedman  
Second Devon Kunde

**Motion Results:** Pass **LDP 09-288**

**2-C: Interview with and possible action regarding non-certificate holders Ray Mungia and GEM-CO and complaint number NC09-L014.**

**Individuals Addressing the Board:** Katherine Boots

**Discussion:** At the October meeting, the Board moved to invite Mr. Mungia and GEM-CO to appear before the Board and address the Board regarding services Mr. Mungia and GEM-CO are offering that require certification.

Division records reflect GEM-CO applied for business entity certification on June 4, 2003 and the Board denied the application on August 18, 2003. GEM-CO did not request a hearing on the denial. No subsequent application for certification has been received from GEM-CO.

Division records reflect Mr. Mungia applied for individual certification on June 20, 2003 and the application was denied by the Board on August 18, 2003. Mr. Mungia did not request a hearing on the denial. No subsequent application for certification has been received from Mr. Mungia.

On February 17, 2009, the Division received complaint number NC09-L014 alleging Mr. Mungia and his business were not certified but were offering legal document preparation services. The advertisement attached to the written complaint is a quarter page ad taken from *The Arizona Bilingual Magazine* which indicates Mr. Mungia and GEM-CO provide services preparing Power of Attorney documents and Articles of Incorporation and LLCs.

On December 3, 2009, Mr. Mungia contacted the Division regarding the Board's invitation and reported he is retired and no longer associated with GEM-CO. Mr. Mungia indicated *The Arizona Bilingual Magazine* sent a fax to the Division explaining the circumstances regarding the advertisement. No such fax has been received.

**Individuals Addressing the Board:** Les Krambeal

**Discussion:** Mr. Mungia is absent from the proceedings. Staff recommendation: another Cease & Desist order be sent, and be invited to the February 2010 meeting.

**Motion:** Cease & Desist Order be issued, not be invited to the February 2010 meeting.

**Motion Proposals:** First Paul Friedman

Second Devon Kunde

**Motion Results:** Pass **LDP 09-289**

**2-D: Interview with and possible action regarding non-certificate holder Jeremy Reidy and complaint number NC08-L025.**

**Individuals Addressing the Board:** Katherine Boots

**Discussion:** At the October meeting, the Board moved to invite Mr. Reidy to appear before the Board and address the Board regarding services Mr. Reidy has provided that require certification.

Division records reflect Mr. Reidy applied for individual certification on October 14, 2004 and the application was denied by the Board on December 20, 2004. Mr. Reidy did not request a hearing on the denial. No subsequent application for certification has been received from Mr. Reidy.

On January 11, 2008, the Division received complaint number NC08-L025 alleging Mr. Reidy offered legal document preparation services to the public via CraigsList.com. The complaining consumer, Lisa Murray, provided a copy of her service contract with Mr. Reidy and proof of having paid Mr. Reidy \$400.00 for the preparation of dissolution documents which were ultimately rejected by the Superior Court. Mr. Reidy denied providing services to or having any contact with Ms. Murray. However, the service contract appears to contain his signature. In September of 2008, Mr. Reidy reported he'd relocated out of Arizona but would confer with an attorney about responding to the complaint. No additional information has been received from Mr. Reidy or any attorney acting on his behalf.

**Discussion:** Mr. Reidy is absent from the proceedings. Staff recommendation: another Cease & Desist order be sent, and be invited to the February 2010 meeting.

**Motion:** Cease & Desist Order be issued, not be invited to the February 2010 meeting.

**Motion Proposals:** First Paul Friedman  
Second Devon Kunde

**Motion Results:** Pass **LDP 09-290**

**2-E: Interview with and possible action regarding non-certificate holders Michael Hawkins and LLC Filing Services.com and complaint numbers NC06-L095, NC07-L044 and NC08-L035.**

**Individuals Addressing the Board:** Katherine Boots

**Discussion:** At the October meeting, the Board moved to invite Mr. Hawkins and LLC Filing Services.com to appear before the Board and address the Board regarding their offering services that require certification.

On September 23, 2005, the Division received complaint number 06-L095 involving M. Kameron Hawkins and LLC Protection Services, LLC alleging Mr. Hawkins and the business entity were offering services that require certification without holding certification. Numerous advertisements were submitted with the complaint. On April 23, 2007, the Board issued a Cease and Desist Letter to Mr. Hawkins and LLC Filing Services.com. On May 9, 2008, Mr. Hawkins responded in writing and indicated the company is a not document preparation business but rather offers name search and filing services. Mr. Hawkins indicated the Corporation Commission documents were prepared by the consumers.

On October 30, 2007, the Division received complaint number NC07-L069 which alleged Mr. Hawkins and the business entity were offering and preparing corporation and LLC documents without certification. Copies of several advertisements were submitted and remain on file.

On July 15, 2008, the Division received complaint number NC08-L035 containing copies of advertisements and web page listings for LLC Filing Services.com which reflect the business entity was holds seminars to assist consumers with forming LLCs and PLLCs. The LLC Filing Services.com website stated, "After meeting with one of our Independent Associates you'll have a sound understanding of how an LLC or PLLC can work for you. We provide insight and understanding as well as show you how to complete your documents the right way the first time." The Board sent a second cease and desist letter to Mr. Hawkins and LLC Filing Services.com dated February 23, 2009. The letter requested a written response from Mr. Hawkins and the business entity within 30 days. No response has been received. As of December 7, 2009, the website continues to indicate the business entity offers "the right documents for your information and to sign."

**Discussion:** Mr. Hawkins is present at today's proceedings. Mr. Hawkins states neither he nor his company prepares any documents for clients.

LLCFilingServices.com is a filing service, meaning clients bring the documents, already prepared, to his company and he files them with the Arizona Corporation Commission on behalf of the client. He does print documents directly off the Arizona Corporation Commission website for clients so they can file for an LLC business license. He also gives definitions of LLC or PLLC but does not advise clients on which they should be filing. He does make sure the documents are prepared in a way required by the ACC by reviewing the documents, but does not fill out the form or sign on a client's behalf.

**Motion:** Petition for a Cease & Desist order with the Superior Court of Arizona

**Motion Proposals:** First Paul Friedman  
Second Stephanie Wolf

**Motion Results:** Pass **LDP 09-291**

**2-F: Interview with and possible action regarding non-certificate holder RCS Preliminary Lien Service and complaint numbers NC07-L044 and NC09-L056.**

**Individuals Addressing the Board:** Katherine Boots

**Discussion:** At the October meeting, the Board moved to invite RCS Preliminary Lien Services to appear before the Board and address the Board regarding their offering services that require certification.

On July 21, 2008, the Board issued a cease and desist letter to RCS Preliminary Lien Services in complaint number NC07-L044. During communications with RCS regarding the 07 complaint, RCS' attorney contacted the Division and indicated the business entity exclusively provides lien related document preparation services and the company felt it was "silly for them to have to learn and test" on services areas the company does not provide in order to become certified. No written response was received to the Board cease and desist letter.

On August 5, 2009, the Division received complaint number NC09-L044. The complaint alleged RCS continues to provide document preparation services without certification. The complaint was submitted with numerous documents prepared and recorded by RCS between after the cease and desist letter issued on July 21, 2008.

**Individuals Addressing the Board:** Linda Grau

**Discussion:** No one from RCS Preliminary Lien Services present at today's proceedings. Linda spoke with someone stating they represent the firm a few weeks ago and reiterated how important it was to be at this meeting. Based on the non-response of the firm and proof the firm is still preparing documents, a petition for a Cease & Desist order with the Superior Court is recommended.

**Motion:** Petition for a Cease & Desist order with the Superior Court of Arizona

**Motion Proposals:** First Paul Friedman  
Second Devon Kunde

**Motion Results:** Pass LDP 09-292

**2-G: Interview with and possible action regarding non-certificate holders Martha Leyvas and Littleton Long, Inc. and complaint numbers NC07-L050 and NC07-L071.**

**Individuals Addressing the Board:** Katherine Boots

**Discussion:** At the October meeting, the Board moved to invite Ms. Leyvas and Littleton Long, Inc. to appear before the Board and address the Board regarding their offering services that require certification.

On August 13, 2007, the Division received complaint number NC07-L050 alleging Ms. Leyvas and Littleton Long, Inc. were offering and providing document preparation services without certification. Numerous letters and phone calls were placed to Ms. Leyvas and the business entity and no response was received. On October 21, 2008, the Board issued a cease and desist letter to Ms. Leyvas and the business entity. No response was received to the cease and desist letter.

On November 1, 2007, the Division received a consumer complaint involving contracted document preparation services. A letter dated November 5, 2007 was sent to Ms. Leyvas and the business requesting a response within 15 days. No response was received. Several additional unsuccessful attempts were made to reach Ms. Leyvas by phone.

**Discussion:** Staff recommendation is to provide with another Cease & Desist and invited to the February 2010 board meeting. Upon discovering a complaint was filed after the initial Cease & Desist letter was issued, the following motion was made.

**Motion:** Petition for a Cease & Desist order with the Superior Court of Arizona

**Motion Proposals:** First Paul Friedman  
Second Andrew Saper

**Motion Results:** Pass **LDP 09-293**

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### 3) REVIEW OF CERTIFICATION APPLICATIONS

**3-A: Review, discussion, and possible action regarding pending applications for 2009-2011 Initial Standard Certifications.**

1. *Judith Burton*
2. *Rebecca Ruiz*
3. *Donald Lincoln*
4. *John Mansell*
5. *Lidia Tagliarini*
6. *Linda Bazan*
7. *Meghan Record*
8. *Amanda McQueen*
9. *Teresa Valles*
10. *Phoenix Success Inc. (Denisa Kaporalis-Sinescu)*
11. *My Corporation Business Services (Carrie Cresante)*
12. *National Contractor Services (Brian Finn)*
13. *Lien Secure LLC (Donald Lincoln)*

**Individuals Addressing the Board:** Kimberly Siddall

**Discussion:** The above listed applicants have demonstrated they met the minimum eligibility requirements for standard certification, their applications are complete and no information has been presented during the background which is contrary to standard certification being granted. **Therefore, it is recommended standard certification be granted to the above individuals/business entities.**

**Motion:** Move to grant applicants one through thirteen standard certification.

**Motion Proposals:** First Paul Friedman  
Second Devon Saper

**Motion Results:** Pass                    **LDP 09-294**

- 14 James Jenkins**
- 16 Chrysta Carter**
- 17 Mitchell Varbel**
- 19 Western Preliens, LLC (Donald Lalonde)**
- 20 Affordable Documents AZ LLC (Mark Bluemke)**
- 21 Corporate Lien Services, LLC (Todd Haley)**
- 23 Construction Notice Services Inc. (Richard Fink)**
- 24 Michelle Blake**
- 25 Greta Shumway**
- 30 Sheri Bell**
- 31 Business Document Services LLC (C.L. Blue)**
- 32 Michael Jaimes**
- 33 Jezzette Taillefer**
- 34 Sergio Diaz**
- 35 Nielsen & Associates, Inc (Evan Nielsen)**

**Motion:**                    The above named applications remain incomplete pending background review or receipt of additional information and/or fingerprint results. It is recommended that these applications be deferred to the February Board meeting. In the event the anticipated information is received prior to the December meeting, an alternative verbal recommendation will be presented to the Board at the meeting.

**Motion Proposals:** First                    Paul Friedman  
Second                    Devon Kunde

**Motion Results:** Pass                    **LDP 09-295**

**15 Kristin Whitaker**

**Discussion:**                    Ms. Whitaker did not qualify as a trainee as stated in the application granted on February 23, 2009. It is recommended that the board enter into a consent agreement with Ms. Whitaker stipulating a \$350 penalty to be paid within 60 days and 5 additional hours of continuing education on top of the 20 hours required.

**Motion:**                    Move to adopt above sanctions.

**Motion Proposals:** First                    Paul Friedman  
Second                    Cynthia Felton

**Motion Results:** Pass                    **LDP 09-296**

**27 Sara Rogers**

**Discussion:** Holds a juris doctorate degree from New Hampshire but is not an active member of the AZ State Bar. Staff recommendation is the board grant certification with the requirement she submit an affidavit stating she understands and will comply with the provisions of Administrative Code of Judicial Administration §§ 7-201 and 7-208 and Supreme Court Rule 31 regarding the unauthorized practice of law and use of the “JD” designation.

**Motion:** Grant certification with the recommended stipulations.

**Motion Proposals:** First Paul Friedman  
Second Devon Kunde

**Motion Results:** Pass **LDP 09-297**

- 22 Mary Hopf**
- 26 Patricia Head**
- 28 Shelia Webster**
- 29 Kari Kirk**

**Discussion:** Recommendation is that standard certification be granted.

**Motion:** Move to grant certification.

**Motion Proposals:** First Paul Friedman  
Second Devon Kunde

**Motion Results:** Pass **LDP 09-298**

**36 Melissa D. Luna**

**Discussion:** Applicant stated she worked as a trainee for National Future Benefits Unlimited Inc. under the supervision of license legal document preparer Victoria Cegla from July 2006 to September 2009. The applicant worked under the supervision of a license attorney from July 2000 to April 2006 therefore, the applicant did not qualify as a trainee for National Future Benefits Unlimited Inc. It is recommended the Board consider entering into a Consent Agreement with Ms. Luna requiring her to complete 30 additional hours of continuing education within 180 days from the date of the Board’s decision in addition to the required 20 hours for the 2009-2011 certification period and a penalty of \$925.00 within 60 days from the Board’s decision for certification period 2006-2007 and 2007-2009.

**Discussion:** Amount of penalty and number of additional hours were determined by adding all amounts from due 2006-2009 time frame.

**Motion:** Move to adopt above recommendation.

**Motion Proposals:** First Paul Friedman  
Second Devon Kunde

**Motion Results:** Pass **LDP 09-299**

**37 Karen Nogle**

**Discussion:** On June 22, 2009, Mr. Nogle submitted an application for initial individual certification but failed to disclose a number of civil cases discovered during the background investigation. Division staff requested clarification of Ms. Nogle on her failure to disclose the civil cases and requested copies of all cases and a copy of each disposition. Ms. Nogle was very cooperative during the review of her application and provided copies of all cases and dispositions by the due date and explained in writing her failure to disclose the civil cases. Ms. Nogle demonstrated she meets the minimum eligibility requirements for standard certification, her application is complete and no other information has been presented during the background which is contrary to standard certification being granted. It is recommended standard certification be granted to Karen Nogle and direct staff to include language regarding non-disclosure on future applications may result in denial or disciplinary actions.

**Motion:** Move to adopt above recommendation.

**Motion Proposals:** First Paul Friedman  
Second Devon Kunde

**Motion Results:** Pass **LDP 09-300**

**38 Cheri Berg**

**Discussion:** The applicant submitted an application listing 4 ½ years of law related experience with her highest level of education being a high school diploma. Upon staff's review and request for experience clarification, on September 30, 2009, Ms. Berg asserted the 4 ½ years was an error and it should have read on her application as 4 ½ months under the supervision of a license attorney. Division staff verified information with Ms. Berg's former employer who stated the 4 ½ months was not related to direct paralegal work but was more of a support staff duties. Therefore, it is recommended that the

Board deny initial certification to Ms. Berg pursuant to ACJA § 7-201(E)(2)(c)(1) the applicant does not meet the qualifications or eligibility requirements at the time of the application pursuant to ACJA § 7-208(E)(3)(b)(6)(a).

**Motion:** Move to adopt above recommendation.

**Motion Proposals:** First Paul Friedman  
Second Devon Kunde

**Motion Results:** Pass **LDP 09-301**

### **39 Tia Adams**

**Discussion:** The applicant submitted an application listing a high school diploma and no experience as preparing legal documents. Her duties listed on her application working for a non-certified business entity Van Rylin Associates Inc are “reception, data entry, A/R, customer service, filing, billing, and all other clerical duties as required”. On October 29, 2009, Division staff contacted Ms. Adams via e-mail requesting verification of her experience. On November 4, 2009, Ms. Adams verified she has worked for Van Rylin Associates Inc for the past two years as stated in her application. Applicant also failed to disclose a pending non certificate complaint against her employer Van Rylin Associates Inc. Therefore, it is recommended that the Board deny initial certification to Ms. Adams pursuant to ACJA § 7-201(E)(2)(c)(1) the applicant does not meet the qualifications or eligibility requirements at the time of the application pursuant to ACJA § 7-208(E)(3)(b)(6)(a). Pursuant to ACJA § 7-201(E)(2)(c)(2)(xv) the applicant failed to disclosed information on the certification application which revealed through the background check regarding a pending non-certificate holder complaint against her employer Van Rylin Associates Inc.

**Discussion:** A representative of Van Rylin Associates Inc. was present and asked to address the board. He was informed this is not the appropriate time and staff would direct him on how to proceed at a later date. He was informed he would be able to appeal the decision if desired.

**Motion:** Move to adopt above recommendation.

**Motion Proposals:** First Paul Friedman  
Second Devon Kunde

**Motion Results:** Pass **LDP 09-302**

**40 Van Rylin Associates, Inc. (Tia Adams).**

**Discussion:** On September 11, 2009, Tia Adams submitted an application for Van Rylin listing herself as the designated principal for the business. Division records reflect Ms. Adams does not meet the qualifications or eligibility requirements at the time of the business application to serve as the designated principal. Van Rylin does not meet the qualification or eligibility requirements at the time of the business application.

On April 14, 2009, the Attorney General's Office filed a Cease and Desist Petition in Superior Court in Maricopa County on behalf of the Board against Van Rylin and Janet Summer seeking to enjoin Van Rylin and Ms. Summers from preparing legal document, representing themselves to the public as legal document preparers, or conducting any other activity or business in violation of Arizona Supreme Court Rule 31 and ACJA § 7-208. On September 28, 2009, Van Rylin and Ms. Summer's stipulated to Cease and Desist pending Board review of the certification applications for Tia Adams and the business entity. On October 14, 2009, Van Rylin filed a Lien signed by Tina Adams in violation of the Stipulation signed on September 28, 2009.

Therefore, it is recommended that the Board deny initial certification to Van Rylin pursuant to ACJA § 7-201(E)(2)(c)(1) the applicant does not meet the qualifications or eligibility requirements at the time of the application pursuant to ACJA § 7-208(E)(3)(d)(1). Further, Van Rylin continues to prepare and file documents, see attached lien filed on 10/14/09, in violation of the Stipulation to Cease and Desist dated September 28, 2009.

**Discussion:** Linda Grau stated: The board recommended some time ago to petition a Cease & Desist order from the Superior Court on Van Rylin and Tia Adams. The C&D was served yet they are still preparing documents. That is the reason for the recommendation of denial. Due to a pending complaint against Van Rylin, Nina Preston recommended they not address the board on this issue today but to schedule an interview for the February 2010 meeting.

**Motion:** Move to defer until the February 2010 board meeting.

**Motion Proposals:** First Paul Friedman  
Second Cynthia Felton



designated principal. Upon review of the business application, Division staff contacted Ms. Beren on July 10, 2009 regarding her failure to submit an individual renewal application for period 2009-2011 and requested a response from Ms. Beren by July 17, 2009 however, Ms. Beren failed to respond. On August 7, 2009, Division staff contacted Ms. Beren notifying her of the Board's decision to defer the CorpNet Incorporated application to the October 26, 2009 to allow Ms. Beren an opportunity to retake the LDP exam and become certified. On September 3, 2009, Division staff contacted Ms. Beren to follow up on her LDP examination and individual application since the Division had no records of her taking the exam. Division staff requested a response by October 7, 2009. On September 30, 2009, Ms. Beren contacted Division staff stating she needed to schedule time to take the LDP exam and stated she would contact Division staff within a few days after her September 30th email. As of December 21, 2009, Ms. Beren has not contacted Division staff and has not taken the LDP exam. Therefore, it is recommended that the Board deny initial certification to CorpNet, Incorporated pursuant to ACJA § 7-201(E)(2)(c)(1) the applicant does not meet the qualifications or eligibility requirements at the time of the application pursuant to ACJA § 7-208 (E)(3)(d)(1) designated principal is not certified.

**Motion:** Move to adopt above recommendation.

**Motion Proposals:** First Paul Friedman  
Second Devon Kunde

**Motion Results:** Pass **LDP 09-305**

**3-B: Review, discussion, and possible action regarding pending applications for Business Entity Exemption requests.**

1. **Integrity CPA Firm, PC (Judith Burton)**
2. **Precision Paralegal Services LLC (Paris Chacon)**
3. **Advanced Legal Services LLC (Marwan Sadeddin)**
4. **Lien Secure LLC (Donald Lincoln)**

**Individuals Addressing the Board:** Kimberly Siddall

**Discussion:** It is recommended the above Business Entity Exemptions be granted.

**Motion:** Move to adopt above recommendation.

**Motion Proposals:** First Paul Friedman

Second Devon Kunde

**Motion Results:** Pass LDP 09-306

**3-C: Review, discussion, and possible action regarding withdrawal requests received from business applicant Perceptive Legal Services, LLC.**

**Individuals Addressing the Board:** Kimberly Siddall

**Discussion:** On June 23, 2009, applicant filed a business application, however failed to submit the applicable fees. On November 12, 2009, Ms. Galvan submitted a request for withdrawal the business entity application because applicant could not gather the fees required for the application and will discontinue the LLC. Therefore staff recommends the Board accept the request to withdrawal the business application.

**Motion:** Move to adopt above recommendation.

**Motion Proposals:** First Paul Friedman  
Second Devon Kunde

**Motion Results:** Pass LDP 09-307

**3-D: Review, discussion, and possible action regarding pending renewal applications for 2009-2011 Certification Period.**

*The following certificate holders have submitted applications for renewal of standard certification. However each certificate holder has a complaint that has resulted in formal discipline and a Hearing is pending.*

**Rae Heimer**

**Individuals Addressing the Board:** Kimberly Siddall

**Discussion:** On November 7, 2009, Ms. Heimer was served with the Notice of Formal Charges regarding complaint numbers 06-L048 and 09-L025. On November 13, 2009, Ms. Heimer filed an answer and a request for a hearing. Therefore, it is recommended the Board defer Ms. Heimer's renewal application until the disciplinary action is resolved.

**Motion:** Move to adopt above recommendation

**Motion Proposals:** First Paul Friedman  
Second Devon Kunde

**Motion Results:** Pass **LDP 09-308**

**Kenneth Volk**

**Individuals Addressing the Board:** Kimberly Siddall

**Discussion:** On November 6, 2009, Mr. Volk was served with the Notice of Formal Charges regarding complaint numbers 06-L079, 06-L098, 06-L118, and 07-L011. On November 23, 2009, Mr. Volk filed an Answer and a request for a hearing. Therefore, it is recommended the Board defer Mr. Volk's renewal application until the disciplinary action is resolved.

**Motion:** Move to adopt above recommendation

**Motion Proposals:** First Paul Friedman  
Second Cynthia Felton  
Recusal Debra Griffin

**Motion Results:** Pass **LDP 09-309**

**Richard Hoyt**

**Individuals Addressing the Board:** Kimberly Siddall

**Discussion:** On November 9, 2009, Probable Cause Evaluator Michael Baumstark entered a finding probable cause exists in complaint number 09-L033. Therefore, it is recommended the Board defer Mr. Hoy's renewal application until the disciplinary action is resolved.

**Motion:** Move to adopt above recommendation.

**Motion Proposals:** First Paul Friedman  
Second Devon Kunde

**Motion Results:** Pass **LDP 09-310**

**3-E: Review, discussion, and possible action regarding pending applications for 2009-2011 certification renewal for Business Entities.**

**Paradox Document Preparation Service, L.L.C. (Jenifer Bone)**

**Individuals Addressing the Board:** Kimberly Siddall

**Discussion:** The above business entity has submitted an application for renewal of standard certification. The application is complete; no information has been presented during the background which is contrary to renewal of certification being granted. The business entity has demonstrated they meet the minimum eligibility requirements for renewal of certification. It is recommended renewal of certification be granted to the above business entity:

**Motion:** Move to adopt above recommendation.

**Motion Proposals:** First Paul Friedman  
Second Devon Kunde

**Motion Results:** Pass **LDP 09-311**

***Lighthouse Legal Services, LLC (Sherry Pietilainen)***

**Individuals Addressing the Board:** Kimberly Siddall

**Discussion:** The above business entity submitted an application for renewal of standard certification however, the designated principal was denied renewal certification. Therefore, it is recommended the Board deny the following business entity application pursuant to Arizona Code of Judicial Administration (“ACJA”) 7-201 (E)(2)(c)(1) the applicant does not meet the qualifications or eligibility requirements as described in ACJA 7-208 (E)(3)(d)(1) the designated principal is not a certified individual legal document preparer:

**Motion:** Move to adopt above recommendation.

**Motion Proposals:** First Paul Friedman  
Second Devon Kunde

**Motion Results:** Pass **LDP 09-312**

***Northcott Bellow and Associates, Inc. (Victoria Pizzata)***  
***Richard C. Hoyt & Associates, Inc (Richard Hoyt)***

**Individuals Addressing the Board:** Kimberly Siddall

**Discussion:** The above business entity applications remain incomplete pending receipt of additional information. It is tentatively recommended these applications be deferred to the February meeting. In the event

the anticipated information/documentation is received prior to the December meeting, alternative verbal recommendation will be presented to the Board at the meeting:

**Discussion:** Les Krambeal stated: They are a former employer of his, he seen them recently and they do not plan on moving forward with the renewal. Kim then stated: she would have them provide a letter stating as such.

**Motion:** Defer decision until letter from Northcott Bellow and Associates is provided.

**Motion Proposals:** First Paul Friedman  
Second Devon Kunde  
Recusal Les Krambeal

**Motion Results:** Pass **LDP 09-313**

**AA American Contractors License School, LLC**

**Individuals Addressing the Board:** Kimberly Siddall

**Discussion:** The above business entity application was denied at the Board's October 26th meeting. The denial was recommended and accepted by the Board because the designed principal was not a certified individual legal document preparer as described in ACJA § 7-208 (E)(3)(d)(1), and therefore pursuant to ACJA § 7-201 (E)(2)(c)(1) the applicant did not meet the qualifications or eligibility requirements. Staff received a change of designed principal form on November 16, 2009, after the denial letter was received by the business entity. Staff has prepared the attached consent agreement and has forwarded on to the designed principal Constance Havens. Staff will make a verbal recommendation at the December meeting for the above business entity.

**Motion:** Move to adopt above recommendation.

**Motion Proposals:** First Paul Friedman  
Second Devon Kunde

**Motion Results:** Pass **LDP 09-314**

**3-F: Review of Business Entity Exemption Extension Requests for the 2009-2011 certification period.**

***Paradox Document Preparation Service, L.L.C. (Jenifer Bone)***

***Individuals Addressing the Board:*** Kimberly Siddall

***Discussion:*** It is recommended the above Business Entity Exemption Extension be granted for the 2009-2011 certification period.

***Motion:*** Move to adopt above recommendation.

***Motion Proposals:*** First Paul Friedman  
Second Devon Kunde

***Motion Results:*** Pass **LDP 09-315**

***Northcott Bellow and Associates, Inc. (Victoria Pizzata)***

***Individuals Addressing the Board:*** Kimberly Siddall

***Discussion:*** It is recommended the following Business Entity Exemption Extension be deferred until the February meeting. In the event the additional information is received for the business application a verbal recommendation will be made at the December meeting:

***Motion:*** Move to adopt above recommendation.

***Motion Proposals:*** First Paul Friedman  
Second Devon Kunde  
Recusal Les Krambeal

***Motion Results:*** Pass **LDP 09-316**

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**4) CERTIFICATION AND ELIGIBILITY**

***4-A: Interview and possible action regarding pending renewal application of Michelle Messmer.***

***Individuals Addressing the Board:*** Kimberly Siddall

***Discussion:*** On October 26, 2009, the Board of Legal Document Preparers (“Board”) requested Division staff to invite Ms. Messmer to the December 21, 2009 Board meeting to conduct an informal interview regarding her Class 1 Misdemeanor offense. On or about November 5, 2009, Division staff mailed Ms. Messmer a letter requesting her appearance however the letter provided the wrong

date for her to attend the Board meeting. Division staff contacted Ms. Messmer regarding the incorrect date and Ms. Messmer responded by stating she could not attend the December 21, 2009 Board meeting. Therefore, it is recommended the Board defer the interview to February 23, 2010.

**Discussion:** Ms. Messmer is absent from today's proceedings.

**Motion:** Move to adopt above recommendation.

**Motion Proposals:** First Paul Friedman  
Second Devon Kunde

**Motion Results:** Pass **LDP 09-317**

***4-B: Interview and possible action regarding pending initial application of Patricia Milino.***

**Individuals Addressing the Board:** Kimberly Siddall

**Discussion:** During the October meeting, the Board directed staff to invite Ms. Milino to the June Board meeting for an interview to discuss her failure to disclose civil actions on her initial application and to determine if her medical and financial hardships could present issues contrary to certification being granted.

Ms. Milino was unable to make the June, July or October Board meetings due to medical reasons. During the October meeting the Board agreed to give Ms. Milino one last opportunity to appear for an interview and directed staff to invite Ms. Milino to the December 21, 2009.

It is recommended that the Board go into executive session and interview Ms. Milino and determine if there are any issues that may be contrary to individual standard certification being granted.

**Motion:** Move to go into executive session.

**Motion Proposals:** First Paul Friedman  
Second Devon Kunde

**Motion Results:** Pass **LDP 09-318**

***Executive Session 10:52 to 11:18***

**Individuals Addressing the Board:** Paul Friedman

**Discussion:** Would feel better if he knew Ms. Milino had a better understanding of what a Legal Document Preparer does.

**Motion:** Move to defer until the February 2010 meeting.

**Motion Proposals:** First Paul Friedman  
Second Devon Kunde

**Motion Results:** Pass **LDP 09-319**

**4-C: Interview and possible action regarding pending request to retake the LDP Examination of Janet Summers.**

**Individuals Addressing the Board:** Kimberly Siddall

**Discussion:** Ms. Summers has submitted the attached request to retake the Legal Document Preparer Examination. Ms. Summers participated in the examination on January 7, 2008, April 16, 2008, and August 13, 2008, obtaining scores of 70, 69, and 71, respectively. Pursuant to ACJA § 7-201 (E)(1)(f)(2)(d)(i) “Any applicant who was unsuccessful on the third attempt to pass the examination may request the board for permission to sit for a fourth examination...”

At the October meeting, the Board requested staff to invite Ms. Summers to the December meeting regarding questions that Board has regarding her request letter; specifically the subject line.

It is recommended that the board interview Ms. Summers and grant her request to retake the examination.

**Discussion:** Interview with Ms. Summers: July 28, 2009 letter from Ms. Summers with a reference line reading “for the perpetuation of idiots practicing law”. What does that mean? Ms. Summers stated she has been in the law business 40 years, has taken the LDP exam 3 times and has not passed it. She was “making light of herself”.

**Motion:** Move to adopt above recommendation.

**Motion Proposals:** First Paul Friedman  
Second Devon Kunde

**Motion Results:** Pass **LDP 09-320**

**CALL TO THE PUBLIC**

**Individuals Addressing the Board:** Les Krambeal

*Discussion:* No one came forward from the public.

Holiday Greetings from Linda Grau and Andrew Saper.

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## **ADJOURNMENT**

*Motion:* Adjourn the meeting.

*Motion Proposals:* First Andrew Saper  
Second Paul Friedman

*Motion Results:* Pass **LDP 09-321**

*Time:* 11:23 a.m.