

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 07-281

Complainant: No. 1321700082A

Judge: No. 1321700082B

ORDER

The commission reviewed the complaint and found no ethical misconduct on the part of the judge. The law firm that employed the judge after he left the bench did not represent any of the parties in the case. The judge was not involved in the complainant's case after August 2006 and his employment negotiations with the firm began in October of the same year. A judge may engage in employment discussions, as long as he recuses himself in cases involving potential employers.

The complaint is dismissed pursuant to Rules 16(a) and 23(a).

Dated: February 6, 2008.

FOR THE COMMISSION

\s\ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on February 6, 2008.

This order may not be used as a basis for disqualification of a judge.

1 prodigious potable water discoveries in state history when controlled by the The
2 property was situated within 125 miles of Phoenix, which made trucking, and/or rail of
3 cement cost efficient as compared to the industry at large. The appraisers used by
4 , have issued two appraisals on the properties. the real property
5 appraised at approximately \$52,000,000.00, without water rights. the
6 appraisal escalated to \$110,000,000.00, without water rights, which are expected to exceed
7 \$50,000,000.00 amortized to net present value with a 10% "cap." rate over 20 years.
8 originally was formed as the state's first captive insurer
9 under the name of which was owned by the
10 100%. seeks damages for its loss of income, premiums, and as a creditor in substantial
11 measure to companies liquidated by defendants. is a
12 limited liability in good standing, along with
13 limited liability company in good standing. was designed to operate, manage, and
14 distribute the water resources, and to develop excess power to "the grid" under certain
15 federal and state enactments. The proposed plant was designed to operate alternately as a
16 "cogeneration" facility using excess and recycled heat to produce turbin-generated electricity, as
17 well as using natural gas, which was located within a few hundred yards of the site. was
18 the registration exempt securities offering and the managing operations entity. None of the assets
19 referred to above (other than a 10-acre parcel under which the plant was to be built in the future)
20 were assets of The asset holding companies were, and remain, as described when
21 formed and "nurtured" by
22 when all entities
23 were formed was owned by the as the holding
24 company for the management of This is an Arizona corporation in good
25 standing, as are all plaintiff entities or companies, whether in Arizona or
26

EDITORIAL NOTE

The complainant continues to discuss the legal and procedural issues in his criminal case for many more pages. Given the length of the complaint and the fact that it was ultimately dismissed by the commission, the complete complaint was not reproduced here. A copy of the redacted complaint can be obtained by contacting the commission office.