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9 *Attorneys for the Estate of Denny Chittick, Deceased*

10 **SUPERIOR COURT OF ARIZONA**

11 **MARICOPA COUNTY**

12 ARIZONA CORPORATION
13 COMMISSION,

14 Plaintiff,

15 vs.

16 DENSCO INVESTMENT
17 CORPORATION, an Arizona
18 corporation,

19 Defendant.

No. CV2016-014142

20 **CHITTICK ESTATE'S**
21 **SUR-RESPONSE TO**
22 **RECEIVER'S PETITION NO. 48**
23 **REGARDING ATTORNEY-CLIENT**
24 **RELATIONSHIP**

25 ORAL ARGUMENT REQUESTED

26 (Assigned to the Honorable
Teresa Sanders)

(Peter S. Davis – Appointed Receiver)

20 In its *Response to Receiver's Petition No. 48 Regarding Attorney-Client*
21 *Relationship* filed with the Court on January 3, 2018 ("Response"), the Chittick Estate
22 referred to a file that was maintained by David Beauchamp called "Formation of
23 Affiliated Entity with Partners." See Response, Exhibit F. The Estate had assumed that
24 this file was unrelated to DenSco Investment Corporation ("DenSco") but was instead
25 was a personal investment by Denny Chittick ("Chittick").

26 However, a recent discussion with David Preston, DenSco's long-time accountant,

1 has confirmed that while Chittick had discussed operating a title company with third
2 party investors separate from DenSco, the title company was, in fact, treated as a DenSco
3 investment. This investment was subsequently liquidated and the transactions were fully
4 accounted for as DenSco transactions.

5 This correction in no way alters the fact that Chittick sought advice from
6 Beauchamp whether to make this investment individually or through DenSco. That
7 discussion confirms that Chittick clearly believed that Beauchamp was his personal
8 attorney as well as that of DenSco.

9 RESPECTFULLY SUBMITTED this 9th day of January, 2018.

10
11 GAMMAGE & BURNHAM, P.L.C.

12 By: /s/ James F. Polese (#003451)

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17 ELECTRONICALLY FILED with
18 the Court this 9th day of January,
19 2018, and copies e-mailed to the following:

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10 *Attorneys for Receiver Peter S. Davis*
11 *in Case No. PB2016-051754*

12 And to all other persons listed on the
13 attached Master Service List

14 *P. Meloserdoff*

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MASTER SERVICE LIST

Arizona Corporation Commission vs. DenSco Investment Corporation

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

CV2016-014142

(Revised December 20, 2017)

Honorable Teresa A. Sanders
Maricopa County Superior Court
101 West Jefferson, ECB-811
Phoenix, Arizona 85003-2243

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