

Andrew G. Deiss (USB 7184)
Billie J. Siddoway (USB 9710)
Brent A. Orozco (USB 9572)
Diana F. Bradley (USB 14603)
DEISS LAW PC
10 West 100 South, Suite 425
Salt Lake City, Utah 84101
Tel: (801) 433-0226
adeiss@deisslaw.com
bsiddoway@deisslaw.com
borozco@deisslaw.com
dbradley@deisslaw.com

Attorneys for Defendant William Davidson

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

D. RAY STRONG, as Liquidating Trustee of the Consolidated Legacy Debtors Liquidating Trust, the Castle Arch Opportunity Partners I, LLC Liquidating Trust and the Castle Arch Opportunity Partners II, LLC Liquidating Trust,

Plaintiff,

v.

KIRBY D. COCHRAN; JEFF AUSTIN; AUSTIN CAPITAL SOLUTIONS; WILLIAM H. DAVIDSON; DOUGLAS W. CHILD; CHILD, VAN WAGONER & ASSOCIATES, PLLC, fka CHILD, SULLIVAN & ASSOCIATES, fka CHILD, VAN WAGONER & ASSOCIATES, LLC, fka CHILD VAN WAGONER & BRADSHAW, PLLC; ROBERT CLAWSON; HYBRID ADVISOR GROUP; and JOHN DOES 1-50,

Defendants.

**DEFENDANT WILLIAM DAVIDSON'S
OPPOSITION TO MOTION TO
CONSOLIDATE**

Case No. 2:14-cv-00788-TC-EJF

Judge Tena Campbell

Magistrate Judge Evelyn J. Furse

Defendant William Davidson (“Mr. Davidson”), by and through undersigned counsel, hereby files this opposition to the Trustee’s Motion to Consolidate Cases [Docket No. 81] to the extent it seeks to consolidate *Geringer v. Strong*, Case No. 2:16-cv-391-TC (the “Breach of Contract Case”).

Mr. Davidson hereby joins and adopts the portions of the Memorandum In Opposition To Motion To Consolidate Breach Of Contract Case filed on Feb. 16, 2016 by Defendant Robert Geringer to the extent applicable. *See* Dkt. 93. Consolidation of the Breach of Contract Case will likely result in a more lengthy trial and would likely be confusing to the jury.

RESPECTFULLY SUBMITTED this 16th day of February, 2017.

DEISS LAW PC

/s/ Andrew G. Deiss

Andrew G. Deiss

Attorney for Defendant William Davidson

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16th day of February, 2017, I caused a true and correct copy of the foregoing **DEFENDANT WILLIAM DAVIDSON'S OPPOSITION TO MOTION TO CONSOLIDATE** to be served by CM/ECF Notification to the following:

Attorneys for Plaintiffs:

Milo Steven Marsden
Sarah E. Goldberg
Nathan S. Seim
Peggy Hunt
DORSEY & WHITNEY
136 S Main St., Ste. 1000
Salt Lake City, UT 84101-1685

Attorneys for Defendant William Davidson:

Mark T. Hiraide
PETILLON HIRAIDE LLP
21515 Hawthorne Blvd., Ste. 1260
Torrance, CA 90503

Oliver K. Myers
P.O. Box 9153
Salt Lake City, UT 84109

Attorneys for Defendants Jeff Austin & Austin

Capital Solutions:

Erik A. Christiansen
Allissa M. Mellem
PARSONS BEHLE & LATIMER
201 S. Main St., Ste. 1800
PO Box 45898
Salt Lake City, UT 84145-0898

DEISS LAW PC

/s/ Diana Bradley
Diana Bradley