

**UNITED STATES OF AMERICA**  
**before the**  
**SECURITIES AND EXCHANGE COMMISSION**

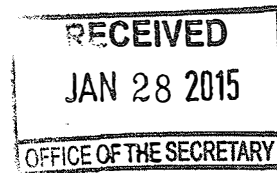
**ADMINISTRATIVE PROCEEDING**  
**File No. 3-16033**

**In the Matter of**

**AIRTOUCH COMMUNICATIONS,  
INC., HIDEYUKI KANAKUBO,  
AND JEROME KAISER, CPA,**

**Respondents.**

**JOINT MOTION RE:  
CONFIDENTIAL SETTLEMENT  
PROCESS**



Pursuant to the Order Regarding Settlement Discussions dated January 23, 2015, counsel for the Division of Enforcement and counsel for Respondent Jerome Kaiser hereby submit this Joint Motion re: Confidential Settlement Process. The parties, through counsel, jointly aver the following:

- (1) The parties are willing to participate in good faith in a confidential settlement process.
- (2) The parties agree that their representations and submissions, including any statement made by any party, attorney or other participant, are confidential. The parties' submissions will not be construed as an admission against interest and nothing said at such sessions may be used in court in connection with the case or any other litigation.
- (3) The parties understand that the settlement process will be facilitated by another Administrative Law Judge (Settlement ALJ), who will not discuss any representations or submissions of the parties with the presiding Administrative Law


Judge. The parties understand that Administrative Law Judge Jason S. Patil has been designated at the Settlement ALJ for this purpose.


- (4) The parties understand that communications with Judge Patil, including any submissions to him, will be not be part of this case's record.
- (5) The parties waive: (a) the right to claim bias or prejudice by Judge Patil based on any views expressed during the settlement process; (b) the right to a public proceeding; (c) the right to a proceeding on the record; and (d) any objection to Judge Patil conferring with either party ex parte in the course of settlement. *See* 17 C.F.R. § 201.240(c)(2).

Dated: January 27, 2015

Respectfully submitted,

DIVISION OF ENFORCEMENT  
SECURITIES AND EXCHANGE COMMISSION

  
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John W. Berry (323) 965-3890  
Amy Jane Longo (323) 965-3835  
Peter I. Altman (323) 965-3871  
Securities and Exchange Commission  
Los Angeles Regional Office  
444 South Flower Street, Suite 900  
Los Angeles, CA 90071  
(323) 965-3908 (facsimile)  
*Counsel for the SEC's Division of Enforcement*

 *PA with permission*  
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James N. Kramer (415) 773-5923  
Orrick, Herrington & Sutcliffe LLP  
405 Howard Street  
San Francisco, CA 94105-2669  
-and-  
Mark Mermelstein (213) 612-2204  
Orrick, Herrington & Sutcliffe LLP  
777 South Figueroa Street, Suite 3200  
Los Angeles, CA 90017-5855  
*Counsel for Respondent Kaiser*