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BEFORE THE ARIZONA CORPORATION COMMISSION

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2 COMMISSIONERS

3 MARC SPITZER, Chairman  
4 WILLIAM A. MUNDELL  
5 JEFF HATCH-MILLER  
6 MIKE GLEASON  
7 KRISTIN K. MAYES

2004 OCT -5 P 2: 16

AZ CORP COMMISSION  
DOCUMENT CONTROL

8 IN THE MATTER OF:

DOCKET NO. S-03540A-04-0000

9 HCH ENTERPRISES, L.L.C.  
10 5952 West Gail Drive  
11 Chandler, AZ 85226

Arizona Corporation Commission

DOCKETED

OCT 05 2004

12 HELEN C. HARTZE  
13 5952 West Gail Drive  
14 Chandler, AZ 85226

15 MARK KESLER  
16 10783 W. Encanto Blvd.  
17 Avondale, AZ 85323.

DOCKETED BY

18 Respondents.

**FOURTH**  
**PROCEDURAL ORDER**

19 **BY THE COMMISSION:**

20 On April 30, 2004, the Securities Division ("Division") of the Arizona Corporation  
21 Commission ("Commission") filed a Notice of Opportunity for Hearing ("Notice") against HCH  
22 Enterprises, L.L.C. ("HCH"), Helen C. and John Doe Hartze and Mark and Jane Doe Kesler  
23 (collectively "Respondents") in which the Division alleged multiple violations of the Arizona  
24 Securities Act ("Act") in connection with the offer and sale of securities in the form of investment  
25 contracts.

26 The Respondents were duly served with a copy of the Notice.

27 On May 10, 2004, a request for hearing was filed for HCH and Helen C. Hartze, an unmarried  
28 woman.

On May 18, 2004, a request for hearing was filed for Mark Kesler, an unmarried man.

On May 21, 2004, by Procedural Order, a pre-hearing conference was scheduled for June 22,  
2004.

On June 22, 2004, at the pre-hearing conference, the Division and the Respondents were

1 represented by counsel. The parties stated that they were attempting to resolve the issues raised by  
2 the Notice and requested that an additional pre-hearing be scheduled while the parties attempt to  
3 settle the proceeding.

4 On June 22, 2004, by Procedural Order, a pre-hearing conference was scheduled for August 5,  
5 2004.

6 On August 5, 2004, at the pre-hearing conference, the Division and Respondents were  
7 represented by counsel. The parties agreed that a hearing be scheduled starting in October.  
8 Thereafter, by Procedural Order, the hearing was scheduled to commence on October 12, 2004.

9 On August 24, 2004, the Commission approved a Consent Order with respect to Respondent  
10 Kesler.

11 On October 4, 2004, the Division filed a Motion to Continue ("Motion") the October 12,  
12 2004, hearing until October 18, 2004 with respect to Respondents HCH and Hartze pending the  
13 approval of proposed Consent Order(s) as to them by the Commission at its Open Meeting scheduled  
14 for October 14, 2004.

15 Accordingly, the Motion should be granted and the hearing continued.

16 IT IS THEREFORE ORDERED that the Division's Motion is granted and the hearing  
17 continued from October 12, 2004 to October 18, 2004 at 9:30 a.m., at the Commission's offices,  
18 1200 West Washington Street, Phoenix, Arizona.

19 IT IS FURTHER ORDERED that the parties also reserve October 19 and 20, 2004 for  
20 additional days of hearing, if necessary.

21 Dated this 5<sup>TH</sup> day of October, 2004.

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24   
MARC E. STERN  
ADMINISTRATIVE LAW JUDGE

25 ...  
26 ...  
27 ...  
28 ...

Copies of the foregoing were mailed/delivered  
this 5 day of October, 2004 to:

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By:   
Molly Johnson  
Secretary to Marc E. Stern

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