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BEFORE THE ARIZONA CORPORATION COMMISSION

254

COMMISSIONERS

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2004 SEP 24 A 10: 28

AZ CORP COMMISSION
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IN THE MATTER OF THE.

DOCKET NO. S-03465A-02-0000

VICTOR MONROE STOCKBRIDGE
[CRD # 1233627] and
G. IRENE STOCKBRIDGE
[Husband and Wife]

Arizona Corporation Commission

DOCKETED

SEP 24 2004

61 Rufous Lane
Sedona, AZ 86336-7117

DOCKETED BY 

Respondents.

PROCEDURAL ORDER

BY THE COMMISSION:

On December 30, 2002, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing ("Notice") against Victor Monroe Stockbridge and G. Irene Stockbridge ("Respondents"), in which the Division alleged multiple violations of the Arizona Securities Act ("Act") in connection with the offer and sale of securities by fraudulent transactions.

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

On January 10, 2003, a request for hearing was filed for Respondents.

On January 17, 2003, by Procedural Order, a pre-hearing conference was scheduled for February 4, 2003.

On February 4, 2003, the pre-hearing conference was held as scheduled. The Respondents and the Division were present with counsel. Matters related to discovery were discussed and dates agreed upon for scheduling a hearing.

On February 5, 2003, by Procedural Order, a hearing was scheduled to commence on May 12, 2003.

On April 14, 2003, the Division and the Respondents filed a joint Stipulated Motion to

1 Continue ("Stipulated Motion") the above-captioned matter until the Division notifies the
2 Respondents and the presiding Administrative Law Judge that the Division is ready to go forward.
3 The Stipulated Motion requested an indefinite continuance because counsel for the Division was
4 going on an extended medical leave without a definite date to return to work.

5 On April 17, 2003, by Procedural Order, the proceeding was continued until further Order.

6 On June 22, 2004, the Division filed a motion to schedule a pre-hearing conference.

7 On June 24, 2004, by Procedural Order, a pre-hearing conference was scheduled.

8 On July 9, 2004, Respondents filed a Motion to Stay and/or Extend the Indefinite
9 Continuance ("Motion to Extend") pending the resolution of parallel civil proceedings before the
10 Maricopa County Superior Court and a scheduled arbitration before a panel of arbitrators pursuant to
11 the terms of a customer account agreement.

12 On July 15, 2004, a pre-hearing conference was held as scheduled. The Division and
13 Respondents appeared through counsel. A discussion concerning aspects of the proceeding and when
14 the Division would be filing its response to Respondents' Motion to Extend.

15 On July 23, 2004, the Division filed its Response in opposition to Respondents' Motion to
16 extend. The Division argued that Respondents would not be unduly prejudiced if the proceeding is
17 not continued further and cited a series of cases which strongly support its arguments in opposition of
18 a further continuance. In fact, the Division's position in the proceeding may be unduly prejudiced as
19 time passes due to the age and health of the parties involved.

20 On August 19, 2004, by Procedural Order, the Respondents' Motion to Extend was denied
21 and a pre-hearing conference was scheduled for September 14, 2004.

22 On September 2, 2004, by teleconference, the Division and Respondents requested the pre-
23 hearing conference be continued due to a scheduling conflict.

24 On September 3, 2004, by Procedural Order, the pre-hearing conference was continued to
25 September 22, 2004.

26 On September 22, 2004, the Division and the Respondents appeared through counsel at the
27 pre-hearing conference. The status of the various civil proceedings and procedural and discovery
28 issues were discussed. Due to certain outstanding discovery issues which had been stayed when the

1 proceeding had been continued indefinitely on April 17, 2003, Respondents' counsel indicated that he
2 would file a response(s) to pending objections to outstanding Subpoenas Duces Tecum by October 8,
3 2004. The Division indicated that it reserved its rights to also file a response(s) by that date also.
4 The parties were directed to exchange copies of their witness lists and exhibits by December 1, 2004,
5 pending the commencement of a hearing on the Notice herein on January 10, 2005.

6 Accordingly, a hearing should be scheduled on the allegations raised in the Notice.

7 IT IS THEREFORE ORDERED that Response(s) to the Objections to the outstanding
8 Objections to Subpoena Duces Tecum shall be filed by October 8, 2004.

9 IT IS FURTHER ORDERED that the hearing shall commence on January 10, 2005, at 9:30
10 a.m., at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona.

11 IT IS FURTHER ORDERED that the parties shall also reserve January 11, 12, 13, 18, 19, 20
12 and 21, 2005 for additional days of hearing, if necessary.

13 IT IS FURTHER ORDERED that the parties shall exchange by December 1, 2004, copies of
14 their proposed witness lists and their exhibits and provide courtesy copies of same to the presiding
15 Administrative Law Judge.

16 DATED this 24th day of September, 2004


17
18 MARC E. STERN
19 ADMINISTRATIVE LAW JUDGE

20 Copies of the foregoing mailed/delivered
21 this 24 day of September, 2004 to:

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By: 
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Secretary to Marc E. Stern

26 Matt Neubert, Director
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