

ORIGINAL



0000014056

25FD

BEFORE THE ARIZONA CORPORATION COMMISSION  
RECEIVED

COMMISSIONERS

MARC SPITZER, Chairman  
WILLIAM A. MUNDELL  
JEFF HATCH-MILLER  
MIKE GLEASON  
KRISTIN K. MAYES

2004 OCT 13 A 8:26

AZ CORP COMMISSION  
DOCUMENT CONTROL

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

OCT 13 2004

61 Rufous Lane  
Sedona, AZ 86336-7117

DOCKETED BY

EIGHTH

PROCEDURAL ORDER

Respondents.

**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.

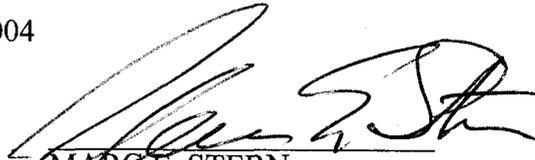
6 On September 24, 2004, by Procedural Order, responses were scheduled for filing on October  
7 8, 2004, witness lists and exhibits were scheduled to be exchanged by December 1, 2004 and the  
8 hearing was scheduled to commence on January 10, 2005.

9 On October 7, 2004, the parties filed a stipulated request to file their responses concerning the  
10 outstanding Subpoenas Duces Tecum on October 15, 2004.

11 Accordingly, the responses should be filed by October 15, 2004.

12 IT IS THEREFORE ORDERED that response(s) to the pending objections to the outstanding  
13 Subpoenas Duces Tecum shall be filed by October 15, 2004.

14 DATED this 13<sup>th</sup> day of October, 2004

15  
16   
17 MARC E. STERN  
ADMINISTRATIVE LAW JUDGE

18 Copies of the foregoing mailed/delivered  
19 this 13 day of October, 2004 to:

20 Paul J. Roshka, Jr.  
21 James M. McGuire  
22 ROSHKA, HEYMAN & DeWULF, PLC  
23 One Arizona Center  
400 East Van Buren Street, Ste. 800  
Phoenix, AZ 85004  
Attorneys for Respondent

24 Matt Neubert, Director  
25 Securities Division  
26 ARIZONA CORPORATION COMMISSION  
1300 West Washington Street  
Phoenix, AZ 85007

27 By: Molly Johnson  
28 Molly Johnson  
Secretary to Marc E. Stern