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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

Arizona Corporation Commission

DOCKETED

FEB 25 2005

DOCKETED BY

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In the matter of:

GOLDEN OAK MARKETING, INC.  
107 South Candy Lane  
Cottonwood, Arizona 86236

SAMUEL ISAAH RODRIGUEZ  
11578 Horseshoe Lane  
Dewey, Arizona 86327

Respondents.

DOCKET NO. S-03315A-99-0000

DECISION NO. 67607

ORDER FOR DISTRIBUTION OF FUNDS

PROCEDURAL HISTORY

1. On August 13, 1999, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing Regarding Proposed Order For Relief ("Notice") with respect to GOLDEN OAK MARKETING, INC., an Arizona corporation, and SAMUEL ISAAH RODRIGUEZ (the "RESPONDENTS"). The RESPONDENTS filed a Request for Hearing and Motion for Pre-Hearing Conference on August 19, 1999.

2. Following a pre-hearing conference on September 23, 1999, this matter was scheduled for hearing on November 30, 1999 ("Administrative Hearing").

3. On November 22, 1999, RODRIGUEZ and his wife, Carolyn Riehm Rodriguez, (collectively, the "Debtors") filed for bankruptcy protection under Chapter 13 of the U.S. Bankruptcy Code in the US Bankruptcy Court of Arizona, Phoenix, Division (the "Bankruptcy Court"), cause no. 99-13913-PCT-SSC (the "Rodriguez Bankruptcy").

1           4. Monies owed to the investors in GOLDEN OAK were included in the Rodriguez  
2 Bankruptcy as unsecured non-priority claims of creditors of the Debtors. Pursuant to the  
3 *Notice of Chapter 13 Bankruptcy Case, Meeting of Creditors, & Deadlines* issued by the  
4 Bankruptcy Court, the deadline for all creditors (except a governmental unit) to file a Proof of  
5 Claim was April 10, 2000.

6           5. As a result of the filing of the Rodriguez Bankruptcy, the Division requested a  
7 continuance of the Administrative Hearing, which request was granted by Procedural Order on  
8 November 30, 1999.

9           6. On April 10, 2000, the Commission filed a Proof of Claim in the amount of  
10 \$143,325.00 plus penalties against the Debtors in the Rodriguez Bankruptcy based upon the  
11 allegations contained in the Notice (the "Commission's Claim"). The Debtors did not dispute  
12 the basis or otherwise contest the validity of the Commission's Claim in the Rodriguez  
13 Bankruptcy.

14           7. On November 3, 2000, the *Debtors' Third Amended Chapter 13 Plan and*  
15 *Application for Payment of Administration Expense* was filed in the Rodriguez Bankruptcy  
16 (the "Plan") which included the Commission's Claim. The Plan was approved by the court on  
17 April 9, 2001.

18           8. On May 14, 2001, GOLDEN OAK was administratively dissolved for a second  
19 time by the Commission for failure to maintain a statutory agent. The entity's corporate status  
20 has not been reinstated.

21           9. RODRIGUEZ successfully completed all payments under the Plan and a *Discharge*  
22 *of Debtor* was entered by the Bankruptcy Court on May 7, 2003.

23           10. Under the terms of the Plan, the Commission received payments in the amount of  
24 \$6,052.94 from the Debtors, which funds have been placed in an interest-bearing account  
25 maintained and controlled by the Arizona Attorney General. Investors in GOLDEN OAK who  
26 filed a Proof of Claim in the Rodriguez Bankruptcy also received payments from the Debtors

1 under the Plan.

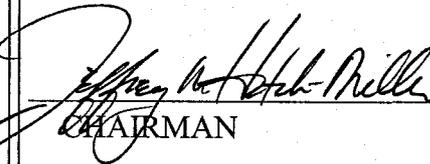
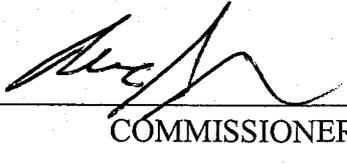
2 **ORDER**

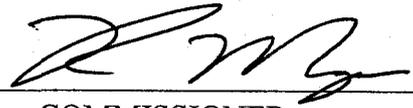
3 THEREFORE, the Commission, having jurisdiction over this matter, finds that the  
4 following relief is appropriate, in the public interest, and necessary for the protection of investors:

5 IT IS ORDERED, that the Attorney General is hereby authorized to immediately disburse  
6 all payments, including interest earned thereon, received by the Commission under the terms of the  
7 Plan in the Rodriquez Bankruptcy on a pro rata basis to the investors as reflected in the records of  
8 the Commission. Any funds that the Attorney General is unable to disburse may be transferred to  
9 the general fund of the state of Arizona.

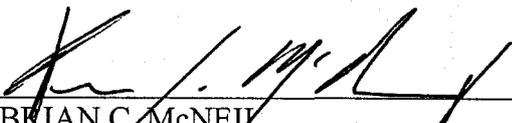
10 IT IS FURTHER ORDERED that the administrative action against the RESPONDENTS is  
11 hereby dismissed.

12 BY ORDER OF THE ARIZONA CORPORATION COMMISSION

13     
14 CHAIRMAN COMMISSIONER COMMISSIONER  
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16    
17 COMMISSIONER COMMISSIONER

18 IN WITNESS WHEREOF, I, BRIAN C. McNEIL,  
19 Executive Secretary of the Arizona Corporation  
20 Commission, have hereunto set my hand and caused the  
21 official seal of the Commission to be affixed at the  
22 Capitol, in the City of Phoenix, this 25<sup>th</sup> day of  
Feb., 2005.

23   
24 BRIAN C. McNEIL  
25 Executive Secretary

26 \_\_\_\_\_  
DISSENT

1 This document is available in alternative formats by contacting Linda Hogan, Executive Assistant  
2 to the Executive Secretary, voice phone number 602-542-3931, E-mail [lhogan@cc.state.az.us](mailto:lhogan@cc.state.az.us).

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