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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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

AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF:

DOCKET NO. S-20426A-05-0768

GARY WAYNE HARDY, CRD# 1298371,
 dba HARDY ASSET MANAGEMENT, and
 SHERRY HARDY, husband and wife
 1711 W. Gary Drive
 Chandler, AZ 85224

HARDY ASSET MANAGEMENT, a sole
 proprietorship
 4625 S. Wendler Drive, Ste. 111
 Tempe, AZ 85282

Respondents.

PROCEDURAL ORDER

BY THE COMMISSION:

On October 27, 2005, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity of Hearing Regarding Proposed Order to Cease and Desist, Order for Restitution, for Administrative Penalties, of Revocation, and for Other Affirmative Action ("Notice") against Gary Wayne Hardy, Sherry Hardy and Hardy Asset Management ("Respondents"), in which the Division alleged multiple violations of the Arizona Securities Act ("Act") in connection with the offer and sale of securities.

Respondents were duly served with a copy of the Notice.

On November 10, 2005, Respondent Gary Wayne Hardy filed a request for hearing.

On November 23, 2005, Respondent Gary Wayne Hardy filed a second request for hearing and an Answer.

On November 23, 2005, counsel for Respondent Sherry Hardy filed a Notice of Bankruptcy Filing.

On December 5, 2005, by Procedural Order, a pre-hearing conference was scheduled for February 16, 2005.

1 On December 13, 2005, the Division filed a Notice of Dismissal of Respondent Sherry Hardy
2 from the proceeding.

3 On December 23, 2005, Respondent Gary Wayne Hardy filed a request for continuance of the
4 pre-hearing stating that he was currently in the custody of the Maricopa County Sheriff and is
5 scheduled to be transferred to the custody of the Arizona Department of Corrections ("ADOC") on
6 February 16, 2006. According to Mr. Hardy, his anticipated release date from custody will be April
7 28, 2006. Mr. Hardy further advised that his mailing address would be changed as of January 5,
8 2006.

9 Accordingly, the pre-hearing conference should be continued and the Division should monitor
10 Mr. Hardy's status until he is released from the custody of the ADOC so that the proceeding can be
11 rescheduled.

12 IT IS THEREFORE ORDERED that the pre-hearing conference scheduled on February 16,
13 2006, at 9:30 a.m., shall be continued indefinitely pending Mr. Hardy's release from custody.

14 IT IS FURTHER ORDERED that the Securities Division shall monitor Respondent Gary
15 Wayne Hardy's period of incarceration and upon his release file a Motion to Reschedule the pre-
16 hearing conference.

17 Dated this ATW day of January, 2006



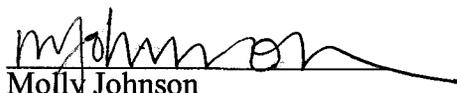
MARC E. STERN
ADMINISTRATIVE LAW JUDGE

21 Copies of the foregoing mailed/delivered
22 this 4 day of January, 2006 to:

23 Gary Hardy
24 c/o Allen and Betty Hardy
25 8322 E. Dutchman Drive
Mesa, AZ 85208

26 Donald L. Gaffney
27 SNELL & WILMER
28 One Arizona Center
400 E. Van Buren
Phoenix, AZ 85004
Attorneys for Sherry Hardy

Matt Neubert
Securities Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, AZ 85007

By: 
Molly Johnson
Secretary to Marc E. Stern