



BEFORE THE ARIZONA CORPORATION COMMISSION

251V

COMMISSIONERS

2006 JAN 10 A 9 46

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-20392A-05-0507

Thomas C. Messina aka Thomas Campbell Messina
aka Tom C. Messina and Donna M. Messina
Husband and wife
17212 N. Scottsdale Road, #2239
Scottsdale, AZ 85255

Respondents.

FOURTH
PROCEDURAL ORDER

BY THE COMMISSION:

On July 21, 2005, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity of Hearing ("Notice") against Thomas C. Messina and Donna M. Messina (collectively "Respondents"), in which the Division alleged multiple violations of the Arizona Securities Act ("Act") in connection with the offer and sale of promissory notes and/or investment contracts.

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

On August 11, 2005 and August 18, 2005, respectively, a request for hearing and an Answer were filed by Respondents.

On September 1, 2005, by Procedural Order, a pre-hearing conference was scheduled on October 5, 2005.

On October 5, 2005, the Division appeared with counsel and the Respondents appeared on their own behalf. During a brief recess, the parties discussed resolution of the issues raised in the Notice. Subsequently, the parties requested a pre-hearing be set in 14 days.

On October 6, 2005, by Procedural Order, a pre-hearing conference was scheduled for October 26, 2005.

On October 26, 2005, the Division appeared with counsel and Mr. Messina appeared on his and his wife's behalf. The parties requested a hearing be scheduled because they had been unable to

1 conclude a Consent Order. By Procedural Order, a hearing was scheduled for January 18, 2006.

2 On January 6, 2006, the Division filed a request for a continuance of the hearing and
3 requested an additional pre-hearing conference be scheduled in late February, 2006. The Division
4 also requested that filing dates for exchanging copies of witness lists and copies of exhibits be held in
5 abeyance pending the rescheduling of the hearing. There are no objections to the Division's request.

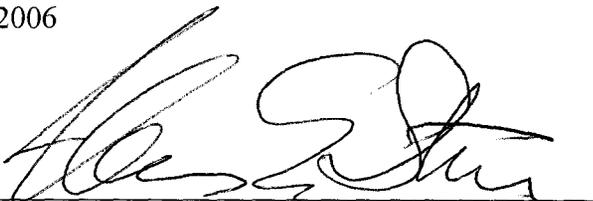
6 Accordingly, the hearing should be continued.

7 IT IS THEREFORE ORDERED that the hearing scheduled on January 18, 2006, shall be
8 vacated.

9 IT IS FURTHER ORDERED that a **pre-hearing conference** shall be held on **February 28,**
10 **2006, at 2:00 p.m.** at the Commission's offices, 1200 West Washington, Phoenix, Arizona.

11 IT IS FURTHER ORDERED that the exchange of copies of exhibits and lists of witnesses
12 with courtesy copies to be provided to the Administrative Law Judge be held in abeyance.

13 Dated this 10th day of January, 2006

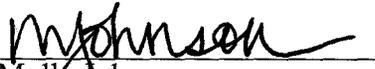
14
15
16 
17 MARC E. STERN
ADMINISTRATIVE LAW JUDGE

18 Copies of the foregoing mailed/delivered
this 10 day of January, 2006 to:

19 Thomas and Donna Messina
20 17212 N. Scottsdale Road, #2239
21 Scottsdale, AZ 85255
Respondents

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

25 ARIZONA REPORTING SERVICE, INC.
26 2627 N. Third Street, Ste. Three
Phoenix, Arizona 85004-1104

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