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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

2006 MAR 30 P 1:44

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.

SIXTH
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 On January 10, 2006, by Procedural Order, the hearing scheduled for January 18, 2006 was
7 vacated, the exchange of witness lists and copies of exhibits was delayed and a pre-hearing
8 conference was scheduled for February 28, 2006.

9 On February 28, 2006, the Division appeared with counsel and Mr. Messina appeared on his
10 and his wife's behalf. The Division requested that a hearing be scheduled on the issues raised in the
11 Notice.

12 On March 1, 2006, by Procedural Order, a hearing was scheduled for May 9, 2006.

13 On March 17, 2006, the Division filed a Motion to Allow Telephonic Testimony.

14 There have been no objections to the request to allow telephonic testimony.

15 IT IS THEREFORE ORDERED that the Division's Motion to Allow Telephonic Testimony
16 is hereby granted.

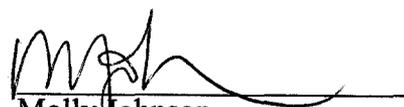
17 Dated this 30th day of March, 2006

18
19
20 
21 MARC E. STERN
ADMINISTRATIVE LAW JUDGE

22 Copies of the foregoing mailed/delivered
23 this 30 day of March, 2006 to:

24 Thomas and Donna Messina
17212 N. Scottsdale Road, #2239
25 Scottsdale, AZ 85255
Respondents

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

26
27 By: 
28 Molly Johnson
Secretary to Marc E. Stern