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**BEFORE THE ARIZONA CORPORATION COMMISSION**

RECEIVED

WILLIAM A. MUNDELL  
CHAIRMAN  
JIM IRVIN  
COMMISSIONER  
MARC SPITZER  
COMMISSIONER

2002 SEP 13 A 9:31

AZ CORP COMMISSION  
DOCUMENT CONTROL

IN THE MATTER OF:

DOCKET NO. S-03478A-02-0000

PARIZEK CAPITAL MANAGEMENT, LLC  
2618 E. Waverly Street  
Tucson, AZ 85716

Arizona Corporation Commission

DOCKETED

And

SEP 13 2002

DAVID ALLEN PARIZEK, Jr.  
2618 E. Waverly Street  
Tucson, AZ 85716

DOCKETED BY *AR*

Respondents.

**PROCEDURAL ORDER**

**BY THE COMMISSION:**

On May 6, 2002, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing Regarding Proposed Order to Cease and Desist, For Administrative Penalties, and For Other Affirmative Action ("Notice") against Parizek Capital Management, LLC ("PCM"), and David Allen Parizek (collectively "Respondents") in which the Division alleged that the Respondents had committed multiple violations of the Arizona Securities Act ("Act") and the Investment Management Act ("IMA").

The Respondents were duly served with copies of the Notice.

On May 16, 2002, Respondents filed a request for a hearing.

On May 21, 2002, by Procedural Order, a pre-hearing conference was scheduled for June 20, 2002.

On June 20, 2002, the Division and Mr. Parizek appeared at the pre-hearing conference and agreed to a 90-day continuance prior to a hearing being scheduled. It was further agreed that a hearing be scheduled on September 24 and 25, 2002 if a Consent Order is not approved previously by the Commission. By Procedural Order, the hearing was scheduled for September 24, 2002.

On September 12, 2002, the Division and the Respondents filed a Motion to Vacate Hearing

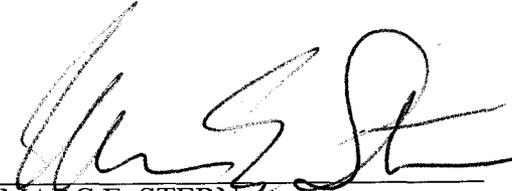
1 ("Motion") indicating that Respondents have agreed to a Consent Order which is to be submitted to  
2 the Commission for approval.

3 Accordingly, the Motion should be granted and the hearing vacated. In the event that the  
4 Consent Order is not approved by the Commission, the Division should request the matter be  
5 rescheduled.

6 IT IS THEREFORE ORDERED that the Motion to Vacate is hereby granted and the hearing  
7 scheduled for September 24, 2002 is vacated.

8 IT IS FURTHER ORDERED that the Securities Division shall file a Motion to Reset Hearing  
9 if the Consent Order is not approved by the Commission.

10 DATED this 15<sup>th</sup> day of September, 2002.

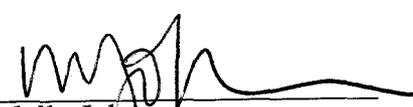
  
11  
12  
13 MARC E. STERN  
14 ADMINISTRATIVE LAW JUDGE

15 Copies of the foregoing mailed/delivered  
16 this 15<sup>th</sup> day of September, 2002 to:

17 David Parizek  
18 Parizek Capital Management, LLC  
19 2618 E. Waverly Street  
20 Tucson, AZ 85716

21 Moira McCarthy  
22 Assistant Attorney General  
23 ARIZONA ATTORNEY GENERAL'S OFFICE  
24 1275 West Washington Street  
25 Phoenix, Arizona 85007

26 W. Mark Sendrow, Director  
27 Securities Division  
28 ARIZONA CORPORATION COMMISSION  
1300 West Washington Street  
Phoenix, Arizona 85007

By:   
Molly Johnson  
Secretary to Marc E. Stern