



BEFORE THE ARIZONA CORPORATION COMMISSION

25

COMMISSIONERS

JEFF HATCH-MILLER, Chairman
WILLIAM A. MUNDELL
MIKE GLEASON
KRISTIN K. MAYES
BARRY WONG

IN THE MATTER OF:

AGRA-TECHNOLOGIES, INC. (a/k/a ATI), a
Nevada corporation,
5800 North Dodge Avenue, Bldg. A
Flagstaff, Arizona 86004-2963;

WILLIAM JAY PIERSON (a/k/a BILL PIERSON)
and SANDRA LEE PIERSON (a/k/a SANDY
PIERSON), husband and wife,
6710 Lynx Lane
Flagstaff, Arizona 86004-1404;

RICHARD ALLEN CAMPBELL (a/k/a DICK
CAMPBELL), and SONDR A JANE CAMPBELL,
husband and wife,
8686 West Morten Avenue
Glendale, Arizona 85305-3940;

WILLIAM H BAKER, JR. (a/k/a BILL BAKER),
and PATRICIA M. BAKER, husband and wife,
3027 N. Alta Vista
Flagstaff, Arizona 86004;

JERRY J. HODGES,
and JANE DOE HODGES,
husband and wife,
1858 Gunlock Court
Saint George, Utah 84790-6705;

LAWRENCE KEVIN PAILLE (a/k/a LARRY
PAILLE), and JANE DOE PAILLE, husband and
wife,
220 Pinon Woods Drive
Sedona, Arizona 86351-6902

Respondents.

DOCKET NO. S-20484A-06-0669

Arizona Corporation Commission
DOCKETED

APR -3 2007

DOCKETED BY [Signature]

AZ CORP COMMISSION
DOCUMENT CONTROL

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FOURTH
PROCEDURAL ORDER

BY THE COMMISSION:

On October 18, 2006, the Securities Division ("Division") of the Arizona Corporation
Commission ("Commission") filed a Notice of Opportunity of Hearing ("Notice") against Agra-

1 Technologies, Inc. (“ATI”), William Jay and Sandra Lee Pierson, husband and wife, Richard Allen
2 and Sondra Jane Campbell, husband and wife, William H. and Patricia M. Baker, husband and wife,
3 and Jerry J. and Jane Doe Hodges, husband and wife, and Lawrence K. and Jan Doe Paille, husband
4 and wife, (collectively “Respondents”), in which the Division alleged multiple violations of the
5 Arizona Securities Act (“Act”) in connection with the offer and sale of stock and investment
6 contracts.

7 Respondents were duly served with copies of the Notice.

8 On November 3, 2006, AGI, William Jay and Sandra Lee Pierson and William H. and Patricia
9 M. Baker filed a request for a hearing.

10 On November 8, 2006, Jerry J. and Jane Doe Hodges and Lawrence K. and Jane Doe Paille,
11 filed a request for a hearing.

12 On November 20, 2006, by Procedural Order, a pre-hearing conference was scheduled for
13 December 20, 2006.

14 On November 27, 2006, Richard A. and Sondra J. Campbell filed a request for hearing.

15 On December 20, 2006, the Division and Respondents appeared with counsel. The parties
16 discussed a possible resolution of the issues and certain concerns with respect to discovery. The
17 parties agreed to another pre-hearing conference being scheduled in late January. By Procedural
18 Order, another pre-hearing conference was scheduled for January 29, 1007.

19 On January 24, 2007, the AIT, Pierson and Baker Respondents filed a Motion to Set
20 Evidentiary Hearing.

21 On January 25, 2007, the Division filed what was captioned, “Securities Division’s Motion
22 For Ruling on Allegedly Inadvertently Produced Privileged Documents by Respondents ATI, Baker
23 and Pierson” which their counsel earlier had argued were privileged.

24 On January 29, 2007, the Division and Respondents appeared through counsel. The parties
25 were continuing to resolve certain issues in the proceeding to reach a possible settlement. However,
26 the Division’s counsel indicated that, if a hearing is required, it may require approximately two weeks
27 of hearing time and more time needed for discovery. The pre-hearing conference was recessed
28 pending ruling on motions which had been filed or were to be filed by the Division and the ATI,

1 Pierson and Baker Respondents.

2 On February 6, 2007, the Division filed its response to the ATI, Pierson and Baker
3 Respondents' Motion to Set Evidentiary Hearing citing numerous cases and discussing the
4 application A.A.C. R14-4-307.

5 On February 20, 2007, the ATI, Pierson and Baker Respondents filed their response to the
6 Division's Motion filed on January 25, 2007, and also filed a reply to the Division's response to the
7 ATI, Pierson and Baker Motion to set a hearing.

8 On March 7, 2007, the Division filed its reply to the ATI, Pierson and Baker response. The
9 Division also cited numerous cases in support of its arguments with respect to the documents
10 discussed in its January 25, 2007 Motion.

11 Accordingly, the Division's Motion is well-taken and the Motion filed the by ATI, Pierson
12 and Baker Respondents should be denied, and a status conference scheduled.

13 IT IS THEREFORE ORDERED that a **status conference** shall be held on **May 17, 2007, at**
14 **9:30 a.m.**, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona.

15 IT IS FURTHER ORDERED that the Motion of ATI, the Baker and Pierson Respondents to
16 set a hearing date is denied.

17 IT IS FURTHER ORDERED that the disputed documents obtained by the Division during its
18 on-going investigation shall not be regarded as privileged since any such claim was waived by
19 Respondents when surrendered.

20 Dated this 3rd day of April, 2007.

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24 
25 MARC E. STERN
26 ADMINISTRATIVE LAW JUDGE
27
28

1 Copies of the foregoing mailed/delivered
this 3rd day of April, 2007 to:

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28 By: 
Debbi Person
Secretary to Marc E. Stern