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BEFORE THE ARIZONA CORPORATION COMMISSION RECEIVED

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2 WILLIAM A. MUNDELL
CHAIRMAN
3 JIM IRVIN
COMMISSIONER
4 MARC SPITZER
COMMISSIONER
5

2002 DEC 31 A 10: 34

AZ CORP COMMISSION
DOCUMENT CONTROL

6 IN THE MATTER OF:

DOCKET NO. S-03427A-02-0000

7 NON-STOP SHOPPING, INC.
8 d/b/a 2C2K.COM, INC.
4757 East Greenway Road
Phoenix, AZ 85032

9 DONALD L. LEVINE
10 2 West Waltann Lane
Phoenix, AZ 85023

Arizona Corporation Commission

DOCKETED

DEC 31 2002

11 KENNETH MARK DEUBNER
12 7911 East Princess Drive, #1249
Scottsdale, AZ 85255

DOCKETED BY

13 STEPHEN ROSENBAUM
14 6801 East Evans Drive
Scottsdale, AZ 85254

15 BOBBIE JO SWARTZ
16 6801 East Evans Drive
Scottsdale, AZ 85254

17 Respondents.

FIFTH
PROCEDURAL ORDER

18 **BY THE COMMISSION:**

19 On May 20, 2002, the Securities Division ("Division") of the Arizona Corporation
20 Commission ("Commission") filed a Notice of Opportunity for Hearing Regarding Proposed Order
21 to Cease, and Desist, for Restitution, for Administrative Penalties, and for Other Affirmative Action
22 ("Notice") against Non-Stop Shopping, Inc.,d/b/a 2C2K.Com, Inc. ("2C2K"), Donald L. Levine,
23 Kenneth Mark Deubner, Stephen Rosenbaum and Bobbie Jo Swartz, in which the Division alleged
24 multiple violations of the Arizona Securities Act ("Act") in connection with the offer and sale of
25 securities in the form of stock.

26 Respondents Deubner, Rosenbaum and Swartz were duly served with copies of the Notice.

27 On June 6, 2002, Respondent Rosenbaum filed a request for hearing.

28 On June 10, 2002, Respondent Swartz filed a request for hearing.

1 On June 18, 2002, Respondent Deubner filed a request for hearing.

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

3 On July 11, 2002, at the pre-hearing conference, the Division appeared with counsel and Mr.
4 Deubner appeared on his own behalf. Respondent Deubner and the Division have been in contact
5 with respect to the negotiation of a Consent Order for Commission approval. Counsel for the
6 Division advised the presiding Administrative Law Judge that Respondents Rosenbaum and Swartz
7 are represented by an Ohio attorney who waived his appearance at the pre-hearing as these
8 Respondents are also negotiating a Consent Order for Commission approval. Neither Respondent
9 Levine nor Respondent 2C2K have been served yet. Additionally, Respondent 2C2K is a defunct
10 corporation.

11 In order to continue the negotiations necessary to conclude the above-referenced Consent
12 Orders and to complete service on Respondent Levine, the Division requested that an additional pre-
13 hearing conference be scheduled in the latter part of August or in the beginning of September to
14 determine the status of the proceeding.

15 On July 12, 2002, by Procedural Order, the Division's request was granted and a pre-hearing
16 was scheduled for September 5, 2002.

17 On August 8, 2002, the Division filed a Motion to Continue ("Motion") the pre-hearing
18 conference because counsel for the Division is scheduled to appear for an oral argument before the
19 Arizona Court of Appeals. There have been no objections filed to the Motion.

20 On August 23, 2003, by Procedural Order, the Division's motion was granted and the pre-
21 hearing conference continued to September 26, 2002.

22 On September 26, 2002, at the pre-hearing conference, the Division appeared with counsel
23 and Mr. Deubner appeared on his own behalf. The Division indicated it was in the process of
24 concluding a Consent Order with Respondents Rosenbaum and Swartz and was negotiating further
25 with Mr. Deubner. Neither 2C2K, which is defunct, nor Mr. Levine has been served. In the interim,
26 the Division requested that a hearing be scheduled in January 2003, pending approval of proposed
27 Consent Orders being approved by the Commission.

28 On September 27, 2002, by Procedural Order, as requested by the Division, a hearing was

1 scheduled for January 8, 2003.

2 On December 23, 3003, Mr. Duebner requested a continuance to secure the necessary funds to
3 be submitted with an agreed upon Consent Order for Commission approval.

4 On December 31, 2002, the Division filed a response indicating it did not oppose a
5 continuance.

6 Accordingly, the hearing should be continued.

7 IT IS THEREFORE ORDERED that the hearing shall be continued from January 8 and 9,
8 2003 to **March 26 and 27, 2003** at 9:30 a.m. at the Commission's offices, 1200 West Washington
9 Street, Phoenix, Arizona.

10 IT IS FURTHER ORDERED that witness and exhibit lists shall be exchanged not later than
11 10 days before the hearing with copies being provided to the presiding Administrative Law Judge.

12 DATED this 31st day of December, 2002.

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14
15 
16 MARC E. STERN
ADMINISTRATIVE LAW JUDGE

17
18 Copies of the foregoing were mailed/delivered
this 31st day of December, 2002, to:

19 Non-Stop Shopping, Inc
20 d/b/a 2C2K.COM, INC.
4757 East Greenway Road
21 Phoenix, AZ 85032

22 Donald L. Levine
2 West Waltann Lane
23 Phoenix, AZ 85023

24 Kenneth Mark Deubner
25 25 Highland Park Village, Box 100
Dallas, TX 75205

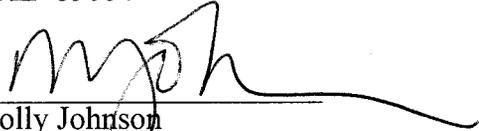
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Attorney for Respondents Swartz and Rosenbaum

28 ...

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14 By: 
15 Molly Johnson
16 Secretary to Marc E. Stern
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