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BEFORE THE ARIZONA CORPORATION COMMISSION

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2 WILLIAM A. MUNDELL
CHAIRMAN
3 JIM IRVIN
COMMISSIONER
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COMMISSIONER
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2002 FEB 19 P 1:45

AZ CORP COMMISSION
DOCUMENT CONTROL

6 IN THE MATTER OF:

DOCKET NO. S-03215A-01-0000

7 RICHARD DEAN CARRINGTON
a/k/a Richard Dean Frank
d/b/a Carrington Estate Planning Services
8 d/b/a Carrington Investment Services
7600 East Doubletree Ranch Road, Ste. 130
9 Scottsdale, AZ 85258

Arizona Corporation Commission

DOCKETED

FEB 19 2002

10 ROBERT WITT
a/k/a Harry Robert Witt
11 7600 East Doubletree Ranch Road, Ste. 130
12 Scottsdale, AZ 85258

DOCKETED BY	
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Respondents.

PROCEDURAL ORDER

13 **BY THE COMMISSION:**

14 On October 9, 2001, the Securities Division ("Division") of the Arizona Corporation
15 Commission ("Commission") filed a Temporary Order to Cease and Desist ("T.O.") and Notice of
16 Opportunity for Hearing ("Notice") against Mr. Richard Dean Carrington and Mr. Robert Witt,
17 (collectively "Respondents") in which the Division alleged multiple violations of the Arizona
18 Securities Act ("Act") in connection with the offer and sale of securities.

19 All parties were duly served with the T.O. and the Notice.

20 On October 12, 2001, Respondents Carrington and Witt, through counsel, filed a request for
21 hearing and motion for pre-hearing conference.

22 On October 24, 2001, by Procedural order, a pre-hearing was scheduled.

23 On November 1, 2001, the pre-hearing conference was held as scheduled with the Division
24 and the Respondents present with counsel. The parties discussed the presentation of evidence and the
25 scheduling required for the proceeding. Respondents waived their rights pursuant to A.A.C. R14-4-
26 307 and consented to the T.O. remaining in effect until the Commission issues a final Decision in the
27 proceeding. The parties also requested that witness and exhibit lists be exchanged prior to the start of
28

1 the hearing.

2 On November 13, 2001, the parties filed a signed Stipulation which reflected the
3 Respondents' consent to the extension of the T.O.

4 On November 19, 2001, by Procedural Order, the proceeding was scheduled for hearing on
5 February 19, 2002.

6 On February 14, 2002, the Respondents and the Division filed a request for a continuance of
7 at least 30 days past the Commission's April 25, 2002 Open Meeting pending the submission of a
8 Consent Order to the Commission for its approval.

9 Accordingly, the hearing should be continued to allow for the Commission's review of the
10 proposed Consent Order.

11 IT IS THEREFORE ORDERED that the hearing shall be continued from February 19, 2002,
12 to June 3, 2002 at 10:00 a.m., at the Commission's offices, 1200 West Washington Street, Phoenix,
13 Arizona.

14 IT IS FURTHER ORDERED that the parties shall also set aside June 4, 5, 6, 10, 11, 12, 13,
15 17, 18, 19, 20, 24, 25, 26 and 27, 2002 and July 1, 2, 8, 9, 10 and 11, 2002 for additional days of
16 hearing, if necessary.

17 IT IS FURTHER ORDERED that the parties shall exchange pre-marked witness and exhibit
18 lists by 4:00 p.m. on May 17, 2002 with a courtesy copy to be provided to the presiding
19 Administrative Law Judge.

20 IT IS FURTHER ORDERED that the parties shall confer and stipulate to unobjectionable
21 exhibits prior to the start of the hearing.

22 DATED this 19th day of February, 2002.


MARC E. STERN
ADMINISTRATIVE LAW JUDGE

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27 ...
28 ...

1 Copies of the foregoing mailed/delivered
2 this 10th day of February, 2002 to:

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18 Securities Division
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25 By: 
26 Molly Johnson
27 Secretary to Marc E. Stern
28