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**BEFORE THE ARIZONA CORPORATION COMMISSION**

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COMMISSIONERS

2007 JUL -2 P 2:34

Arizona Corporation Commission

**DOCKETED**

JUL -2 2007

- 3 MIKE GLEASON, Chairman
- 4 WILLIAM A. MUNDELL
- 5 JEFF HATCH-MILLER
- 6 KRISTIN K. MAYES
- 7 GARY PIERCE

AZ CORP COMMISSION  
DOCKET CONTROL

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IN THE MATTER OF:

DOCKET NO. S-20520A-07-0155

8 LEONARD FRANCIS ALCARO (a/k/a "LENNY  
ALCARO") and  
9 MARY BRIGID LAVIN ALCARO, husband and  
10 wife,  
11 1140 West San Lucas Circle  
Tucson, AZ 85704

Respondents.

**THIRD**  
**PROCEDURAL ORDER**

**BY THE COMMISSION:**

13 On March 20, 2007, the Securities Division ("Division") of the Arizona Corporation  
14 Commission ("Commission") filed a Notice of Opportunity for Hearing ("Notice") against Leonard  
15 Francis Alcaro and Mary Brigid Lavin Alcaro, (collectively the "Respondents") in which the  
16 Division alleged multiple violations of the Arizona Securities Act ("Act") in connection with the  
17 offer and sale investment contracts and/or promissory notes.

18 Respondents were duly served with copies of the notice.

19 On April 9, 2007, Mary Brigid Lavin Alcaro filed a request for a hearing.

20 No request for hearing has thus far been filed on behalf of Leonard Francis Alcaro.

21 On April 12, 2007, by procedural order, a pre-hearing conference was scheduled on May 7,  
22 2007.

23 On May 7, 2007, the Division and Respondent Mary Alcaro appeared through counsel. The  
24 attorney appearing for Mrs. Alcaro indicated that he was substituting for Mrs. Alcaro's attorney of  
25 record because he was out of the country until June 11, 2007. The Division's counsel agreed that  
26 another pre-hearing conference should be scheduled in late June.

27 On May 10, 2007, by Procedural Order, another pre-hearing conference was scheduled on  
28

1 June 28, 2007.

2 On June 4, 2007, Respondent Mary Alcaro filed a Motion to Dismiss ("Motion").

3 On June 19, 2007 the Division filed a Response to the Motion by Mrs. Alcaro.

4 On June 28, 2007, the Division and Respondent Mary Alcaro appeared through counsel.  
5 After discussions concerning the pending Motion by Mrs. Alcaro being taken under advisement, the  
6 parties agreed that a hearing be scheduled in the event that the matter cannot be resolved. Due to  
7 scheduling conflicts, it was determined that the proceeding be scheduled in the fall. The respective  
8 counsel agreed that the Division would file its witness list and copies of exhibits 60 days before the  
9 hearing and Respondent Mary Alcaro would file her witness list and copies of exhibits 30 days prior  
10 to the hearing date.

11 Accordingly, a hearing should be scheduled on the allegations contained in the Notice against  
12 Respondent Mary Alcaro.

13 IT IS THEREFORE ORDERED that a **hearing** shall be held on **December 11, 2007, at 9:30**  
14 **a.m.**, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona.

15 IT IS FURTHER ORDERED that the parties shall reserve December 12 and December 13  
16 2007 for additional days of hearing, if necessary.

17 IT IS FURTHER ORDERED that the parties shall exchange copies of their exhibits and  
18 witness lists with the Division filing its material 60 days before hearing (October 12, 1007) and  
19 Respondent Mary Alcaro filing her material 30 days before hearing (November 12, 2007) with  
20 courtesy copies provided to the presiding Administrative Law Judge.

21 IT IS FURTHER ORDERED that in the event the issues are resolved between the parties  
22 prior to the hearing date, the Division shall file notice of same and request the hearing date be  
23 vacated.

24 Dated this 2nd day of July, 2007.



MARC E. STERN  
ADMINISTRATIVE LAW JUDGE

1 Copies of the foregoing were mailed/delivered  
2 this 2<sup>nd</sup> day of July, 2007 to:

3 Michael J. Vingelli  
4 VINGELLI & ERRICO  
5 33 North Stone Avenue, Suite 1800  
6 Tucson, AZ 85701  
7 Attorney for Mary Brigid Lavin Alcaro

8 Matt Neubert, Director  
9 Securities Division  
10 ARIZONA CORPORATION COMMISSION  
11 1300 West Washington Street  
12 Phoenix, AZ 85007

13 ARIZONA REPORTING SERVICE, INC.  
14 2200 North Third Street, Suite 502  
15 Phoenix, AZ 85004-1481

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By:   
Debra Broyles  
Secretary to Marc E. Stern