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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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MIKE GLEASON - Chairman  
WILLIAM A. MUNDELL  
JEFF HATCH-MILLER  
KRISTIN K. MAYES  
GARY PIERCE

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AZ CORP COMMISSION  
DOCKET CONTROL

IN THE MATTER OF:

DOCKET NO. S-20509A-07-0043

PERRY and TERRY PENNY, husband and wife,  
Gilbert, Arizona

PENNY FINANCIAL, INC., a Michigan  
Corporation,  
Gilbert, Arizona

PENNY PROPERTIES, INC., a Michigan  
Corporation,  
Gilbert, Arizona

RYM TECHNOLOGY HOLDINGS, L.L.C.,  
A Michigan limited liability company,  
Birmingham, MI

FELIX L. DANIEL, SR. and JANE DOE DANIEL,  
husband and wife,  
Birmingham, MI

Respondents.

Arizona Corporation Commission

DOCKETED

JUL 11 2007

DOCKETED BY

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FOURTH  
PROCEDURAL ORDER

BY THE COMMISSION:

On January 22, 2007, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Temporary Order to Cease and Desist ("T.O.") and a Notice of Opportunity for Hearing ("Notice") against Perry and Terry Penny, husband and wife, Penny Financial, Inc. ("PFI"), Penny Properties, Inc. ("PPI"), RYM Technology Holdings, L.L.C., ("RYM") and Felix and Jane Doe Daniel, husband and wife, (collectively "Respondents"), in which the Division alleged that the Respondents committed multiple violations of the Arizona Securities Act ("Act") in connection with the offer and sale of securities in the form of notes and/or investment contracts. As a result of the T.O., the Respondents were immediately ordered to cease and desist from violating the Act.

1 The Penny, PFI, PPI, RYM and Daniel Respondents were duly served copies of the Notice.

2 On February 13, 2007, the Penny, PFI and PPI Respondents filed a request for hearing. The  
3 RYM and Daniel Respondents did not request a hearing.

4 On February 20, 2007, by Procedural Order, a pre-hearing was scheduled on March 22, 2007.

5 On March 22, 2007, the Division appeared through counsel and Mr. and Mrs. Penny appeared  
6 on their own behalf. The Division requested that hearing be scheduled.

7 On March 23, 2007, by Procedural Order, a hearing was scheduled on May 8, 9, and 10, 2007.

8 On April 20, 2007, the Division filed a Motion to Continue ("Motion") the proceeding until  
9 July 20, 2007, or later stating that settlement discussions are being held with the Penny, PFI and PPI  
10 Respondents.

11 On April 23, 2007, by Procedural Order, the proceeding was continued to July 25, 2007, and  
12 the exchange of copies of the proposed Exhibits and Witness Lists delayed until July 2, 2007.

13 Only June 27, 2007, the Division filed a Motion to Set Restitution and Administrative Penalty  
14 Amount ("Motion for Penalty") against the RYM and Daniel Respondents.

15 On July 9, 2007, the Division filed a Motion to Extend Deadline for Submitting the Securities  
16 Division's Witness and Exhibit Lists ("Extension Motion") pending approval of a proposed Consent  
17 Order with respect to the Penny, PFI and PPI Respondents to be considered for approval by the  
18 Commission at its July 12, 2007 Open Meeting.

19 Accordingly, the Extension Motion should be granted with respect to the exchange of copies  
20 of the Exhibit and Witness Lists.

21 IT IS THEREFORE ORDERED that the parties shall exchange copies of their Witness Lists  
22 and copies of their Exhibits with courtesy copies provided to the presiding Administrative Law Judge  
23 no later than July 17, 2007, only if the proposed Consent Order with respect to the Penny, PFI and  
24 PPI is not approved.

25 DATED this 11<sup>th</sup> day of July, 2007.

26  
27   
28 \_\_\_\_\_  
MARC E. STERN  
ADMINISTRATIVE LAW JUDGE

1 Copies of the foregoing mailed/delivered  
2 this 11<sup>th</sup> day of July, 2007 to:

3 Perry and Terry Penny  
4 PENNY FINANCIAL, INC.  
5 PENNY PROPERTIES, INC.  
6 405 West Midland  
7 Gilbert, AZ 85233

8 Matt Neubert, Director  
9 Securities Division  
10 ARIZONA CORPORATION COMMISSION  
11 1200 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