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Attorneys for Respondents AGRA-
Technologies, Inc.; William Jay Corp Commission
and Sandra Lee Pierson; William H. and Patricia M. Baker

Lonnie J. Williams, Jr. (#005966)
Carrie M. Francis (#020453)

Arizona Corporation Commission

DOCKETED

SEP 06 2007

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BEFORE THE ARIZONA CORPORATION COMMISSION

In the matter of:

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

DOCKET NO. S-20484A-06-0669

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

MOTION TO CONTINUE
EVIDENTIARY HEARING FOR 30
DAYS OR UNTIL PENDING
MOTIONS CAN BE RESOLVED

RICHARD ALLEN CAMPBELL (a/k/a
DICK CAMPBELL) and SONDRÁ JANE
CAMPBELL, husband and wife,
8686 West Morten Avenue
Glendale, AZ 85304-3940;

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

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

LAWRENCE KEVIN PAILLE (a/k/a
LARRY PAILLE) and JANE DOE PAILLE,
husband and wife,
220 Pinon Woods Drive
Sedona, AZ 85351-6902;

Respondents.

1 Respondents AGRA-Technologies, Inc., William Jay Pierson and Sandra Lee
2 Pierson, and William H. Baker, Jr. and Patricia M. Baker (herein referred to collectively
3 as "Respondents") move to postpone the evidentiary hearing, currently set for October 15,
4 2007, for a minimum of 30 days or until certain pending motions can be resolved.

5 **A. Intervenors' Motion**

6 On August 20, 2007, a group of participants in the Ore Rights and Mining Project
7 of Agra Technologies, Inc. (herein referred to collectively as the "Intervenors") filed a
8 motion to intervene and to participate in the proceedings along with a motion for
9 expedited consideration. Respondents have no objection to this motion and wish to have
10 the Intervenors as participants in this proceeding. The Division objected to the
11 Intervenors' motion on August 24, and the Intervenors filed their reply brief on August 27.
12 This motion remains fully briefed and undecided.

13 If joined in the proceedings, however, the Intervenors will require time to obtain
14 documents produced in the investigation to date and to prepare for the evidentiary hearing.
15 Respondents support the Intervenors' request to be joined in the proceedings and have no
16 objection to continuing the hearing to allow for their joinder and participation. For this
17 reason, Respondents seek an extension of the October 15 hearing date by at least 30 days
18 so that a ruling can be made on the motion to intervene and if permitted, the Intervenors to be
19 included in the proceedings.

20 **B. Division's Motion for Ruling on Ore Rights Contract**

21 On June 12, 2007, the Division filed a motion seeking a summary ruling that the
22 Ore Rights and Mining Agreement contract is a security as defined under the Act.
23 Respondents filed their opposition to this motion on August 17. The Division has not yet
24 filed its reply brief. The outcome of this motion will drastically change how the parties
25 prepare for the October 15 hearing and will impact settlement discussions that are
26 underway. As of this date, the Campbells, Jerry Hodges, and Lawrence Paille have all
27 entered into permanent orders with the Commission.

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