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BEFORE THE ARIZONA CORPORATION COMMISSION

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2 COMMISSIONERS

3 KRISTIN K. MAYES, Chairman
4 GARY PIERCE
5 PAUL NEWMAN
6 SANDRA D. KENNEDY
7 BOB STUMP

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AZ CORP COMMISSION
DOCKET CONTROL

6 IN THE MATTER OF:

DOCKET NO. S-20603A-08-0370

7 TRADEMARK CAPITAL MANAGEMENT, LLC,
8 an Arizona limited liability company;

Arizona Corporation Commission
DOCKETED

9 BLUE INVESTMENTS, LLC,
10 an Arizona limited liability company;

JAN 21 2009

11 TRAVIS RICHEY AND MELISSA BOYD,
12 husband and wife

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Respondents.

THIRD
PROCEDURAL ORDER

13 **BY THE COMMISSION:**

14 On July 22, 2008, the Securities Division ("Division") of the Arizona Corporation
15 Commission ("Commission") filed a Temporary Order to Cease and Desist ("T.O.") and a Notice of
16 Opportunity for Hearing ("Notice") against Trademark Capital Management, LLC ("TCM"), Blue
17 Investments, LLC ("Blue") and Mr. Travis Richey and Ms. Melissa Boyd, husband and wife,
18 individually (collectively "Respondents"), in which the Division alleged that the Respondents
19 committed multiple violations of the Arizona Securities Act ("Act") in connection with the offer and
20 sale of securities in the form of investment contracts and notes.

21 Respondents were duly served with copies of the Notice.

22 On August 18, 2008 Respondents filed a request for hearing.

23 On August 21, 2008, by Procedural Order, a pre-hearing conference was scheduled on
24 September 9, 2008.

25 On September 9, 2008, at the pre-hearing conference, counsel for the Division and
26 Respondents appeared and discussed issues related to the T.O. and Notice. The parties further
27 discussed the scheduling of a hearing on the issues raised in the T.O. and Notice.
28

1 On October 22, 2008, by Procedural Order, a hearing was scheduled on the allegations
2 contained in the T.O. and Notice on February 2, 2009. Other dates were also established for
3 additional days of hearing and for the exchange of copies of witness lists and exhibits.

4 On December 30, 2008, the Division filed a Motion to Allow Telephonic Testimony
5 ("Motion"). There have been no objections to the Motion.

6 On January 20, 2009, the Division filed a supplement to its Motion.

7 Accordingly, the Division's Motion should be granted.

8 IT IS THEREFORE ORDERED that the Division's Motion is hereby granted and telephonic
9 testimony shall be permitted at the hearing in the proceeding.

10 DATED this 21ST day of January, 2009.

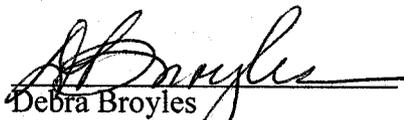
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12
13 
14 MARC E. STERN
ADMINISTRATIVE LAW JUDGE

15 Copies of the foregoing mailed/delivered
16 this 21ST day of January, 2009 to:

17 Michael Salcido
18 BUCKLEY KING, LPA
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Attorney for Respondents

20 Matt Neubert, Director
21 Securities Division
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Phoenix, Arizona 85007-2929

23 ARIZONA REPORTING SERVICE, INC.
24 2200 North Central Avenue, Suite 502
Phoenix, Arizona 85004-1481

25
26 By: 
27 Debra Broyles
Secretary to Marc E. Stern