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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

COMMISSIONERS

2009 MAR -4 P 1: 25

DOCKETED

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A.Z. CORP COMMISSION
DOCKET CONTROL

MAR - 4 2009

DOCKETED BY [Signature]

IN THE MATTER OF:

DOCKET NO. S-20604A-08-0371

ROBERT PRESTON INGRAM and CRUZITA
A. INGRAM (aka CRUZITA A. CARRILLO),
husband and wife,

Respondents.

SIXTH
PROCEDURAL ORDER

BY THE COMMISSION:

On July 22, 2008, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing ("Notice") against Robert Preston Ingram and Jane Doe Ingram, husband and wife (collectively "Respondents"), in which the Division alleged multiple violations of the Arizona Securities Act ("Act") in connection with the offer and sale of securities in the form of investment contracts

Respondents were duly served with copies of the Notice.

On August 4, 2008, Respondents filed a request for a hearing.

On August 11, 2008, by Procedural Order, a pre-hearing conference was scheduled for October 1, 2008.

On September 2, 2008, Respondents filed their Answer.

On September 15, 2008, counsel for the Respondents filed an Application to Withdraw as Counsel ("Application") pursuant to ER 1.16(b). Counsel has notified Respondents of the pre-hearing conference which was previously scheduled.

On September 30, 2008, by Procedural Order, the Application of counsel was granted.

On October 1, 2008, at the pre-hearing conference, the Division appeared with counsel and Respondent Robert Ingram appeared on his own behalf. After a brief discussion the parties agreed that a hearing be scheduled to commence on January 27, 2009. By Procedural Order, the hearing was scheduled to commence as agreed by the parties.

1 On January 7, 2009, the Division filed a Motion to Allow Telephonic Testimony. No
2 objections have been filed to this Motion.

3 On January 21, 2009, the Division filed a Motion to Amend Caption in the proceeding since
4 the Division has learned that Mr. Ingram's wife is named Cruzita A. Ingram (aka Cruzita A. Carrillo).

5 On January 23, 2009, by Procedural Order, the Division's two outstanding motions were
6 granted.

7 On January 26, 2009, the Division filed a "Notice of Facts Impacting Hearing" which stated
8 that Respondent Robert Ingram is a defendant in a federal criminal case in New York and at a
9 pre-hearing conference on the above-referenced date, Mr. Ingram's "bail was revoked and he was
10 remanded into custody in New York for an unknown period of time."

11 On January 27, 2009, a full public hearing was commenced before a duly authorized
12 Administrative Law Judge ("ALJ") of the Commission at its offices in Phoenix, Arizona. The
13 Division appeared with counsel. Neither Respondent Robert Ingram nor Respondent Cruzita Ingram
14 appeared. Counsel for the Division indicated that the Division was ready to proceed. Under the
15 circumstances, the proceeding was continued to insure Respondents' due process rights were not
16 violated. The Division was requested to provide the presiding ALJ with Mr. Ingram's address in
17 New York so that correspondence could be addressed to him concerning this proceeding.

18 On February 3, 2009, the Division filed Notice of Mr. and Mrs. Ingram's current respective
19 addresses and requested that this hearing be rescheduled to last for two days.¹

20 On February 4, 2009, by Procedural Order, Mr. and/or Mrs. Ingram was ordered to notify the
21 presiding ALJ in writing if they are able to participate in a hearing and their means to do so prior to a
22 hearing being rescheduled or request that the proceeding be continued until Mr. Ingram is released
23 from federal custody and able to participate in a hearing.

24 On February 27, 2009, Mr. Ingram filed a request that the proceeding be continued
25 ("Request") until he is released from custody and able to participate in a hearing. There is no
26 indication that Mr. Ingram can appear telephonically or that he is waiving his right to a hearing.

27
28 ¹ The address provided for Mr. Ingram is that of a federal detention center in Brooklyn, New York and the address
for Mrs. Ingram appears to be that of a private residence.

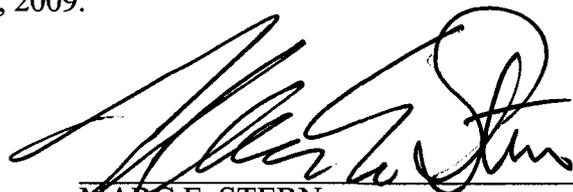
1 Lastly, Mr. Ingram referenced a Consent Order, but his intention in this regard was not entirely made
2 clear in his Request.

3 Accordingly, the proceeding should be continued pending Mr. Ingram's release from federal
4 custody and he is able to participate in a hearing or in the alternative enters into a Consent Order with
5 the Division.

6 IT IS THEREFORE ORDERED that the above-captioned matter shall be continued until Mr.
7 Robert Preston Ingram is released from federal custody and is able to participate in a hearing or he
8 enters into a Consent Order to be approved by the Commission.

9 IT IS FURTHER ORDERED that the Division shall file a Motion for a Status Conference
10 upon the Division becoming apprised of more information concerning this matter or if it wishes to
11 reschedule the proceeding for a hearing.

12 Dated this 4th day of March, 2009.

13
14
15 
16 MARC E. STERN
ADMINISTRATIVE LAW JUDGE

17
18 Copies of the foregoing were mailed/delivered
this 4th day of March, 2009 to:

19 Cruzita A. Ingram
20 5133 North Granite Reef Road
Scottsdale, AZ 85250-7422

21 Robert Preston Ingram
22 Registration No. 88753-008
MDC Brooklyn
23 Metropolitan Detention Center
P.O. Box 329002
24 Brooklyn, NY 11232-9002

Matt Neubert, Director
Securities Division
ARIZONA CORPORATION COMMISSION
1300 West Washington Street
Phoenix, AZ 85007-2929

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27
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By: 
Debra Broyles
Secretary to Marc E. Stern