

ORIGINAL

OPEN MEETING AGENDA ITEM



BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission DOCKETED

KRISTIN K. MAYES, Chairman
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP

MAR 23 2009

DOCKETED BY [Signature]

In the matter of:
RANDIE BALBAS, a married man
and
LEILA BALBAS, a married woman,
Respondents.

DOCKET NO. S-20632A-08-0504

MOTION TO VACATE HEARING

On September 30, 2008, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing Regarding Proposed Order to Cease and Desist, Order for Restitution, For Administrative Penalties and for Other Affirmative Action ("Notice") with respect to Respondents Randie and Leila Balbas.

On October 17, 2008, Respondents Randie and Leila Balbas, through their attorney, filed a Notice of Appearance and Request for Hearing.

On November 4, 2008, Respondents Randie and Leila Balbas, through their attorney, filed an Answer.

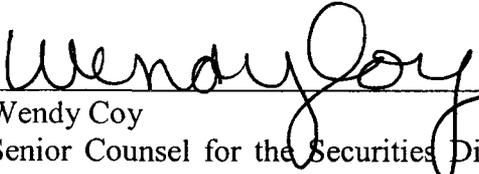
On November 17, 2008, by Procedural Order, the hearing was scheduled to begin on April 6, 2009. Witness and Exhibit Lists were to be exchanged no later than March 9, 2009.

On March 3, 2009, the parties filed a Stipulation Regarding Witness and Exhibit List setting March 23, 2009 as the date to exchange witness and exhibit lists.

On March 19, 2009, the Commission approved an Order to Cease and Desist, Order of Restitution, Order for Administrative Penalties and Consent to Same regarding Respondent Randie Balbas and Leila Balbas.

1 For the reasons set forth above, the Securities Division request that the Administrative
2 Hearing set to begin on April 6, 2009 be vacated.

3 Respectfully submitted this 23rd day of March, 2009.

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5 By: 
6 Wendy Coy
7 Senior Counsel for the Securities Division of
8 the Arizona Corporation Commission
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1 ORIGINAL AND THIRTEEN (13) COPIES of the foregoing
2 filed this 23rd day of March, 2009 with:

3 Docket Control
4 Arizona Corporation Commission
5 1200 W. Washington St.
6 Phoenix, AZ 85007

7 COPY of the foregoing hand-delivered
8 filed this 23rd day of March, 2009 to:

9 Mr. Marc E. Stern
10 Administrative Law Judge
11 Arizona Corporation Commission/Hearing Division
12 1200 W. Washington St.
13 Phoenix, AZ 85007

14 COPY of the foregoing mailed
15 this 23rd day of March, 2009 to:

16 Alan Baskin
17 Bade & Baskin PLC
18 80 East Rio Salado Parkway, Suite 515
19 Tempe, Arizona 85281

20 *Veronica Sandoval*
21 _____
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