



0000095098

ORIGINAL

BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

COMMISSIONERS

2009 MAR 30 P 1:49

Arizona Corporation Commission

DOCKETED

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

AZ CORP COMMISSION
DOCKET CONTROL

MAR 30 2009

DOCKETED BY [Signature]

In the matter of:

GERALD EDWIN PATCHEN II and JANE
DOE PATCHEN, husband and wife,

Respondents.

DOCKET NO. S-20638A-08-0566

SECURITIES DIVISION'S MOTION TO CONTINUE ADMINISTRATIVE HEARING

The Securities Division ("Division") of the Arizona Corporation Commission through its attorney, William W. Black, hereby moves to continue the administrative hearing currently scheduled to begin on April 30, 2009.

On November 5, 2008, the Division filed a Temporary Order to Cease and Desist ("TC&D") and Notice of Opportunity for Hearing against Gerald Edwin Patchen and Jane Doe Patchen in which the Division alleged multiple violations of the Arizona Securities Act in connection with the offer and sale of securities in the form of promissory notes. Respondents were duly served with copies of the Notice and filed a request for hearing on November 28, 2008. A pre-hearing conference was held on January 20, 2009 at which time a hearing date of April 30, 2009 was set. In addition, the parties were further ordered to exchange copies of their Witness Lists and copies of their Exhibits by March 30, 2009.

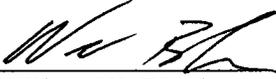
The parties have been actively pursuing resolution of this matter in the form of a draft proposed consent. As part of the resolution process the Division has requested additional information from investors in order to confirm the restitution amount owed to them. To date, the

1 Division has not received the requested information, but anticipates that the information will be
2 received shortly. It is necessary that the additional information be reviewed and incorporated into
3 any resolution of this matter. Respondent does not object to a continuance of the hearing currently
4 set.

5 As a result, the Division hereby moves to vacate the administrative hearing currently
6 scheduled to begin on April 30, 2009. The Division further requests that a status conference be set
7 for a date after April 30, 2009 or, in the alternative, that a hearing date be set for a date after June
8 1, 2009.

9 Dated this 30th day of March, 2009.

10 **ARIZONA CORPORATION COMMISSION**
11 **SECURITIES DIVISION**

12 
13 _____
14 William W. Black
15 1300 West Washington Street, 3rd Floor
16 Phoenix, Arizona 85007
17 (602) 542-0790

18 ORIGINAL and 13 copies of the foregoing
19 hand-delivered this 30th day of March, 2009 to:

20 Docket Control
21 Arizona Corporation Commission
22 1200 West Washington Street
23 Phoenix AZ 85007

24 COPY of the foregoing hand-delivered
25 this 30th day of March, 2009 to:

26 Mark Stern, Esq.
Administrative Law Judge
Arizona Corporation Commission
1200 West Washington Street
Phoenix AZ 85007

COPY of the foregoing mailed
this 30th day of March, 2009 to:

Gerald Edwin Patchen II
Respondent