

ORIGINAL



0000095543

BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

Arizona Corporation Commission

DOCKETED

APR -1 2009

2009 APR -1 P 2: 27

AZ CORP COMMISSION
DOCKET CONTROL

DOCKETED BY	nr
-------------	----

COMMISSIONERS

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

IN THE MATTER OF:

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

Respondents.

DOCKET NO. S-20638A-08-0566

THIRD
PROCEDURAL ORDER

BY THE COMMISSION:

On November 5, 2008, the Securities division ("Division") of the Arizona Corporation Commission ("Commission") filed a Temporary Order to Cease and Desist ("T.O.") and Notice of Opportunity for Hearing ("Notice") against Gerald Edward Patchen II and Jane Doe Patchen, 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 notes.

Respondents were duly served with copies of the Notice.

On November 28, 2008, Respondents filed a request for hearing.

On December 8, 2008, by Procedural Order, a pre-hearing conference was scheduled on January 20, 2009.

On January 20, 2009, at the pre-hearing conference, counsel for the Division and Respondents appeared and discussed issues related to the T.O. and Notice. The parties further discussed the scheduling of a hearing on the issues raised in the T.O. and Notice.

On January 21, 2009, by Procedural Order, a hearing was scheduled on the allegations contained in the T.O. and Notice for April 30, 2009.

On March 30, 2009, the Division filed a Motion to Continue ("Motion") the hearing. The Division states that the parties are actively attempting to resolve the matter and the Division is awaiting additional information from investors to determine the correct amount of restitution to be

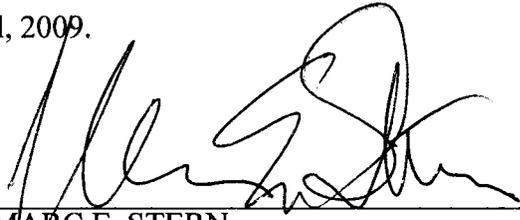
1 repaid to them. The additional information will have to be reviewed for possible inclusion in a
2 resolution of the proceeding by means of a Consent Order which will require subsequent Commission
3 approval. In its Motion, the Division requests that a status conference be scheduled after April 30,
4 2009 or, in the alternative, that the hearing be continued to a date after June 1, 2009.

5 Under the circumstances, the Division's Motion is reasonable and the hearing date should be
6 vacated.

7 IT IS THEREFORE ORDERED that the Division's Motion is hereby granted and the hearing
8 scheduled on April 30, 2009 is hereby vacated.

9 IT IS FURTHER ORDERED that a **status conference** shall be held on **May 28, 2009, at**
10 **9:30 a.m.** at the Commission's offices, 1200 West Washington Street, Room 100, Phoenix, Arizona.

11 DATED this 1st day of April, 2009.

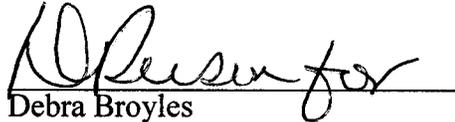
12
13
14 
15 MARC E. STERN
ADMINISTRATIVE LAW JUDGE

16 Copies of the foregoing mailed/delivered
this 1st day of April, 2000 to:

17 Gerald E. Patchen II
18 95 North Birch Street
19 Gilbert, AZ 85233-5439

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

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

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