

ORIGINAL

OPEN MEETING AGENDA ITEM



0000095608

BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

25

2 COMMISSIONERS

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

2009 APR -3 A 11: 38  
 AZ CORP COMMISSION  
 DOCKET CONTROL

7 IN THE MATTER OF:

DOCKET NO. S-20656A-09-0074

- 8 DAVID W. COLE and SIIRI COLE, husband and wife;
- 9 HIGHLINE ESTATES, LLC, an Arizona limited liability company;
- 10
- 11 MUTUAL FINANCIAL SERVICES, LLC (d/b/a MFS Real Estate Division and MFS Investments), an Arizona limited liability company;
- 12
- 13 DREAM CRAFT, LLC, an Arizona limited liability company;
- 14
- 15 SCOT A. OGLESBY (d/b/a ARIZONA ASSET MANAGEMENT) and LORI ANN OGLESBY, husband and wife; and
- 16
- 17 RANDY K. WARD (CRD # 4137944) (d/b/a Arizona Asset Management) and SHARON WARD, husband and wife,
- 18

Arizona Corporation Commission  
**DOCKETED**  
 APR -3 2009

DOCKETED BY	<i>[Signature]</i>
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19 Respondents.

**FOURTH PROCEDURAL ORDER**

20 **BY THE COMMISSION:**

21 On February 19, 2009, the Securities Division ("Division") of the Arizona Corporation  
 22 Commission ("Commission") filed a Notice of Opportunity for Hearing ("Notice") against David W.  
 23 Cole and Siiri Cole, husband and wife, Highline Estates, LLC ("Highline"), Mutual Financial  
 24 Services, LLC (d/b/a MFS Real Estate and MFS Investments) ("MFS"), Dream Craft, LLC ("DCL"),  
 25 Scot A. Oglesby and Lori Ann Oglesby, husband and wife, and Randy K. Ward (CRD #4137944)  
 26 (d/b/a Arizona Asset Management) and Sharon K. Ward, husband and wife, (collectively  
 27 "Respondents"), in which the Division alleged multiple violations of the Arizona Securities Act  
 28 ("Act") in connection with the offer and sale of securities in the form of notes.

1 The Respondents were duly served with copies of the Notice.

2 On March 2, 2009, requests for hearing were filed by the Respondents Scot A. Oglesby and  
3 Randy K. Ward.

4 On March 9, 2009, by Procedural Order, a pre-hearing conference was scheduled on April 2,  
5 2009.

6 On March 9, 2009, the Cole, Highline, MFS and DCL Respondents ("Cole Respondents")  
7 filed a request for hearing.

8 On March 12, 2009, by Procedural Order, all parties were apprised of the pre-hearing  
9 conference.

10 On March 26, 2009, Respondent Oglesby filed his Answer to the Notice.

11 On March 27, 2009, the Division filed a Motion which stipulated to leave being granted for  
12 the Cole Respondents to delay the filing of their Answer because a Consent Order will be presented  
13 for Commission approval at the April 14, 2009, Open Meeting with respect to the Cole Respondents.

14 On March 31, 2009, by Procedural Order, leave was granted until May 15, 2009, for the Cole  
15 Respondents to file Answer if the Commission does not approve their Consent Order at their Open  
16 Meeting scheduled on April 14, 2009.

17 On April 2, 2009, the Division appeared with counsel and Respondents, Scot A. Oglesby and  
18 Randy K. Ward, appeared on their own behalf. None of the other Respondents appeared. The parties  
19 who were present discussed the possibility of a resolution of the issues raised by the Notice and  
20 agreed that a status conference be scheduled in approximately 30 days.

21 IT IS THEREFORE ORDERED that a **status conference** shall be held on **May 7, 2009, at**  
22 **11:30 a.m.**, at the Commission's offices, 1200 West Washington Street, Room 100, Phoenix,  
23 Arizona.

24 DATED this 3<sup>rd</sup> day of April, 2009.

25  
26  
27   
28 **MARC E. STERN**  
**ADMINISTRATIVE LAW JUDGE**

1 Copies of the foregoing mail/delivered  
this 3rd day of April, 2009 to:

2 Randy K. Ward  
3153 West Whitman Drive  
3 Anthem, AZ 85086

4 Scot A. Oglesby  
515 East Carefree Highway, No. 824  
5 Phoenix, AZ 85085

6 Alan S. Baskin  
7 BADE & BASKIN PLC  
80 East Rio Salado Parkway, Suite 515  
7 Tempe, Arizona 85281-9106  
8 Attorneys for Respondents David Cole,  
9 Siiri Cole, Highline Estates, LLC,  
10 Mutual Financial Services, LLC  
and Dream Craft, LLC

11 Matt Neubert, Director  
12 Securities Division  
ARIZONA CORPORATION COMMISSION  
13 1300 West Washington Street  
Phoenix, AZ 85007

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

16  
17 By:

  
Debra Broyles  
Secretary to Marc E. Stern

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