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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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

2009 MAY -5 P 3: 31  
AZ CORP COMMISSION  
DOCKET CONTROL

Arizona Corporation Commission  
**DOCKETED**

MAY - 5 2009

DOCKETED BY

IN THE MATTER OF:  
  
WEST MINING AND INNOVATIONS, INC.,  
an Arizona corporation,  
  
AVISON C. ("AC") WEST and BARBARA M.  
WEST, husband and wife,  
  
Respondents.

DOCKET NO. S-20661A-09-0108

PROCEDURAL ORDER

**BY THE COMMISSION:**

On March 13, 2009, 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 West Mining and Innovations, Inc. ("West") and Avison C. West and Barbara M. West, 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 stock and/or investment contracts.

The Respondents were duly served with a copy of the Notice.

On April 2, 2009, a request for hearing was filed by the Respondents, Avison and Barbara West.

On April 7, by Procedural Order, a pre-hearing conference was scheduled on April 30, 2009.

On April 30, 2009, at the pre-hearing conference, the Division appeared with counsel and Mr. and Mrs. West appeared on their own behalf. The parties were unable to reach a resolution of the proceeding and requested that a hearing be scheduled on the issues raised by the T.O. and Notice. Respondents indicated that Mrs. West recently had surgery on both feet and would be undergoing therapy for approximately eight weeks and that Mr. West is facing total knee replacements on both knees in the near future and would also require a period for recovery before the Respondents can

1 participate in a hearing.

2 Accordingly, a status conference should be scheduled with a hearing to follow, if a resolution  
3 cannot be reached on the issues in this proceeding.

4 IT IS THEREFORE ORDERED that a **status conference** shall be held on **June 29, 2009, at**  
5 **10:00 a.m.** at the Commission's offices, 1200 West Washington Street, Hearing Room 1, Phoenix,  
6 Arizona.

7 IT IS FURTHER ORDERED that a **hearing** shall be held on **July 30, 2009, at 9:30 a.m.** at  
8 the Commission's offices, 1200 West Washington Street, Hearing Room 1, Phoenix, Arizona, in the  
9 event that the proceeding is not resolved between the parties.

10 IT IS FURTHER ORDERED that **Witness Lists** and copies of **Exhibits** should be exchanged  
11 between the parties by **July 6, 2009**, with courtesy copies provided to the presiding Administrative  
12 Law Judge.

13 IT IS FURTHER ORDERED that if either party will call an expert witness in the proceeding,  
14 their *Curriculum Vitae* shall be submitted along with the copies of that party's Witness List and  
15 Exhibits.

16 IT IS FURTHER ORDERED that all parties must comply with Rules 31 and 38 of the Rules  
17 of the Arizona Supreme Court and A.R.S. § 40-243 with respect to practice of law and admission *pro*  
18 *hac vice*.

19 IT IS FURTHER ORDERED that the Presiding Administrative Law Judge may rescind, alter,  
20 amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by  
21 ruling at hearing.

22 DATED this 5<sup>TH</sup> day of May, 2009.

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26 MARC E. STERN  
ADMINISTRATIVE LAW JUDGE

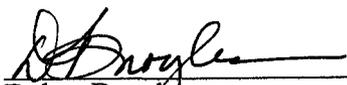
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1 Copies of the foregoing mailed/delivered  
2 this 5<sup>th</sup> day of May, 2009 to:

3 Avison C. West  
4 Barbara M. West  
5 WEST MINING AND INNOVATIONS, INC.  
6 1729 East Pony Lane  
7 Gilbert, AZ 85295

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

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

16 By:   
17 Debra Broyles  
18 Secretary to Marc E. Stern  
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