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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 AUG 18 A 10: 22
ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

IN THE MATTER OF:

JEFFRIE HARPER (CRD #2863910) (aka Jeff Harper) and KATHLEEN JANICE HARPER, husband and wife;
DONALD ROBERT MATTSON, JR. (aka Rob Mattson) and JANE DOE MATTSON, husband and wife;
KNUCKLEBALL CAPITAL MANAGEMENT, LLC, an Arizona limited liability company;
RESPONDENTS.

DOCKET NO. S-20649A-09-0013

Arizona Corporation Commission
DOCKETED

AUG 18 2009

DOCKETED BY

SEVENTH
PROCEDURAL ORDER

BY THE COMMISSION:

On January 15, 2009, the Securities division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing ("Notice") against Knuckleball Capital Management, LLC ("Knuckleball"), Jeffrie Harper, aka Jeff Harper, and Kathleen Janice Harper, husband and wife, and Donald Robert Mattson, Jr., aka Rob Mattson, and Jane Doe Mattson, 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 investment contracts and/or commodity investment contracts.

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

On January 23, 2009, a request for hearing was filed by Respondent Donald Robert Mattson.

On January 30, 2009, a request for hearing was filed by Respondent Jeffrie Harper.

On February 3, 2009, by Procedural Order, a pre-hearing conference was scheduled on February 26, 2009.

1 On February 26, 2009, the Division and Respondents appeared with counsel to discuss issues
2 arising from the Notice and stipulated to a status conference being scheduled after discussions
3 between the parties regarding a possible resolution of the proceeding.

4 On February 27, 2009, by Procedural Order, a status conference was scheduled on April 2,
5 2009, as agreed between the parties.

6 On April 2, 2009, at the status conference, the Division and Respondent Mattson appeared
7 through counsel. The Division's attorney indicated that she had spoken with counsel for the Harper
8 Respondents who was unable to attend. The Division and Respondents are continuing their attempts
9 to resolve the issues raised by the Notice and the parties agreed to a status conference being
10 scheduled in approximately 30 days.

11 On April 3, 2009, by Procedural Order, a status conference was scheduled on May 7, 2009.

12 On May 7, 2009, at the status conference, the Division appeared with counsel. The Division's
13 attorney indicated that a proposed Consent order with respect to the Respondent Mattson and a
14 Default Order with respect to Respondent Knuckleball would be considered by the Commission at its
15 May 20, 2009, Open Meeting. The Division's attorney further indicated that the Harper
16 Respondents' current attorney would be withdrawing due to illness and a new attorney would be
17 substituting as counsel for the Harpers.

18 On May 14, 2009, the current Harper Respondents' counsel filed a notice of withdrawal.

19 On May 19, 2009, a notice of substitution of counsel was filed by a new attorney for the
20 Harpers.

21 On May 21, 2009, the Commission approved Decision No. 71068 and Decision No. 71069, a
22 Default Order against Respondent Knuckleball and a Consent Order against Respondent Mattson,
23 respectively. Subsequently, the Division filed a motion to schedule another status conference with
24 the Harper Respondents.

25 On May 26, 2009, by Procedural Order, a status conference was scheduled on June 18, 2009.

26 On May 29, 2009, counsel for the Harpers filed a motion for a brief continuance because she
27 would be out of town and unavailable on June 18, 2009. Subsequently, by Procedural Order, the
28 motion for a continuance was granted and the status conference continued to June 25, 2009.

1 On June 25, 2009, the Division and Harper Respondents appeared through counsel. The
2 parties were attempting to reach a resolution of the proceeding, and in the interim the Division
3 requested that a hearing be scheduled in the event a Consent Order is not approved.

4 On June 26, 2009, by Procedural Order, a hearing was scheduled on September 15, 2009.

5 On August 13, 2009, the Division filed a Motion to Vacate the hearing scheduled on
6 September 15, 2009, with respect to the remaining parties in the proceeding, the Harper Respondents,
7 as the Commission had approved a Consent Order at the Securities Open Meeting.

8 Accordingly, the hearing in this proceeding scheduled to commence on September 15, 2009,
9 should be vacated.

10 IT IS THEREFORE ORDERED that the hearing scheduled to commence on September
11 15, 2009, is hereby vacated.

12 DATED this 18TH day of August, 2009.

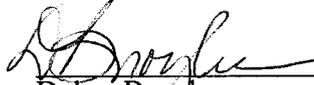
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15 _____
16 MARC E. STERN
17 ADMINISTRATIVE LAW JUDGE

18 Copies of the foregoing mailed/delivered
19 this 18th day of August, 2009 to:

20 Ashley D. Adams
21 ASHLEY D. ADAMS, PLC
22 8245 North 85th Way
23 Scottsdale, Arizona 85258
24 Attorney for Jeffrie and Kathleen Harper

25 Matt Neubert, Director
26 Securities Division
27 ARIZONA CORPORATION COMMISSION
28 1300 West Washington Street
Phoenix, Arizona 85007-2929

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By: 
Debra Broyles
Secretary to Marc E. Stern