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25HC

OPEN MEETING AGENDA ITEM

1 BEFORE THE ARIZONA CORPORATION COMMISSION RECEIVED

2 COMMISSIONERS

2003 OCT 24 P 1:04

3 MARC SPITZER, Chairman
4 WILLIAM A. MUNDELL
5 JEFF HATCH-MILLER
6 MIKE GLEASON
7 KRISTIN K. MAYES

Arizona Corporation Commission

AZ CORP COMMISSION
DOCUMENT CONTROL

DOCKETED

8 IN THE MATTER OF:

OCT 24 2003

DOCKET NO. S-03450A-02-0000

9 Philip William Merrill
3788 N. 156th Drive
Goodyear, AZ 85338
CRD#2436444,

DOCKETED BY *JK*

Respondent.

PROCEDURAL ORDER

11 BY THE COMMISSION:

12 On January 17, 2002, the Securities Division ("Division") of the Arizona Corporation
13 Commission ("Commission") filed a Notice of Opportunity for Hearing Regarding Proposed Order to
14 Cease and Desist, for Restitution, for Administrative Penalties, and for Other Affirmative Action
15 ("Notice") against Philip William Merrill ("Merrill") in which the Division alleged that Respondent
16 engaged in acts, practices and transactions that constitute violation of the Arizona Securities Act
17 ("Act").

18 On October 16, 2003, the Recommended Opinion and Order in this matter was docketed and
19 mailed to the parties. In that filing, the parties were told that the matter had been tentatively
20 scheduled for the Open Meeting to be held on November 20, 2003, and that any exceptions to the
21 Recommended Opinion and Order must be filed by 4:00 p.m., on or before October 27, 2003.

22 On October 20, 2003, the Division and Mr. Merrill's counsel filed a joint Request to Continue
23 Consideration of the Recommended Opinion and Order. The parties requested that this matter be
24 continued and rescheduled for the Open Meeting scheduled for December 18, 2003. The parties
25 further requested an extension of time regarding the filing of exceptions.

26 Based upon the joint request, this request for an extension of time should be granted.

27 IT IS THEREFORE ORDERED that the parties' joint Request to Continue Consideration of
28 the Recommended Opinion and Order is granted, however, this matter will be heard by the

1 Commission at the Open Meeting scheduled on December 2, 2003.

2 IT IS FURTHER ORDERED that the parties shall file any exceptions to the Recommended
3 Opinion and Order with the Commission's Docket Control at 1200 West Washington Street, Phoenix,
4 Arizona 85007-2927 by 4:00 p.m., on or before November 14, 2003.

5 IT IS FURTHER ORDERED that the Ex Parte Rule is still in effect.

6 DATED this 24 day of October, 2003.

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9 PHILIP J. DION III
10 ADMINISTRATIVE LAW JUDGE

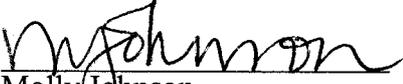
11 Copies of the foregoing were mailed/delivered this
24 day of October, 2003 to:

12 Philip William Merrill
13 3788 N. 156th Drive
Goodyear, AZ 85338

14 Moira McCarthy
15 Assistant Attorney General
ARIZONA ATTORNEY GENERAL'S OFFICE
16 1275 West Washington Street
Phoenix, Arizona 85007

17 Matt Neubert, Acting Director
18 Securities Division
ARIZONA CORPORATION COMMISSION
19 1300 West Washington Street
Phoenix, Arizona 85007

20

21 By: 
22 Molly Johnson
Secretary to Philip J. Dion III

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