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BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

1 COMMISSIONERS:

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

2009 MAY 29 P 2:01

AZ CORP COMMISSION
DOCKET CONTROL

7 IN THE MATTER OF:

- 8 JEFFRIE HARPER (CRD #2863910) (aka Jeff Harper) and KATHLEEN JANICE HARPER, husband and wife;
- 9
- 10 DONALD ROBERT MATTSON, JR. (aka Rob Mattson) and JANE DOE MATTSON, husband and wife;
- 11
- 12 KNUCKLEBALL CAPITAL MANAGEMENT, LLC, an Arizona limited liability company;
- 13

DOCKET NO. S-20649A-09-0013

Arizona Corporation Commission
DOCKETED

MAY 29 2009

DOCKETED BY

14 RESPONDENTS.

FIFTH
PROCEDURAL ORDER

15 **BY THE COMMISSION:**

16 On January 15, 2009, the Securities division ("Division") of the Arizona Corporation
17 Commission ("Commission") filed a Notice of Opportunity for Hearing ("Notice") against
18 Knuckleball Capital Management, LLC ("Knuckleball"), Jeffrie Harper, aka Jeff Harper, and
19 Kathleen Janice Harper, husband and wife, and Donald Robert Mattson, Jr., aka Rob Mattson, and
20 Jane Doe Mattson, husband and wife (collectively "Respondents"), in which the Division alleged
21 multiple violations of the Arizona Securities Act ("Act") in connection with the offer and sale of
22 securities in the form of investment contracts and/or commodity investment contracts.

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

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

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

26 On February 3, 2009, by Procedural Order, a pre-hearing conference was scheduled on
27 February 26, 2009.
28

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.

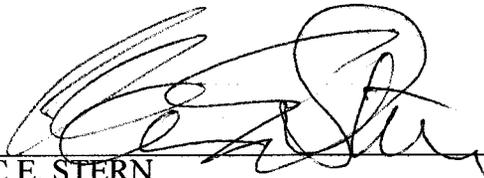
25 On May 26, 2009, by Procedural Order, a status conference was scheduled on June 18, 2009.

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.

28 Accordingly, the motion for a continuance should be granted.

1 IT IS THEREFORE ORDERED that the **status conference** scheduled on June 18, 2009, shall
2 be **continued to June 25, 2009, at 2:00 p.m.**, at the Commission's offices, 1200 West Washington
3 Street, Hearing Room 1, Phoenix, Arizona.

4 DATED this 29th day of May, 2009.

5
6
7 
8 MARC E. STERN
ADMINISTRATIVE LAW JUDGE

9
10 Copies of the foregoing mailed/delivered
this 29th day of May, 2009 to:

11 Ashley D. Adams
12 RYAN RAPP & UNDERWOOD, P.L.C.
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Attorneys for Jeffrie and Kathleen Harper

14 Matt Neubert, Director
15 Securities Division
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Phoenix, Arizona 85007-2929

17 ARIZONA REPORTING SERVICE, INC.
18 2200 North Central Avenue, Suite 502
Phoenix, Arizona 85004-1481

19 By: 
20 Debra Broyles
21 Secretary to Marc E. Stern