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BEFORE THE ARIZONA CORPORATION

IN THE MATTER OF:)	
)	
DONA KURYANOWICZ, a single woman,)	DOCKET NO.
)	S-20659A-09-0100
)	
Respondent.)	STATUS
)	CONFERENCE

At: Phoenix, Arizona
Date: May 28, 2009
Filed: JUN 10 2009

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1 BE IT REMEMBERED that the above-entitled and
2 numbered matter came on regularly to be heard before the
3 Arizona Corporation Commission, in Hearing Room 1 of
4 said Commission, 1200 West Washington Street, Phoenix,
5 Arizona, commencing at 9:44 a.m. on the 28th of May,
6 2009.

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BEFORE: MARC E. STERN, Administrative Law Judge

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10 APPEARANCES:

11

For the Arizona Corporation Commission Securities
12 Division:

13

Mr. William Black
Securities Division
14 1300 West Washington Street
15 Phoenix, Arizona 85007

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16 For the Applicant:

17

In Propria Persona
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18 Goodyear, Arizona 85338

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COLETTE E. ROSS
21 Certified Reporter
22 Certificate No. 50658

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1 ALJ STERN: This status conference is now open
2 in the matter of Dona Kuryanowicz in Docket No.
3 S-20659A-09-0100.

4 My name is Marc Stern. I will preside over the
5 proceeding today.

6 And at this time we will take appearances. And
7 on behalf of the Division.

8 MR. BLACK: Judge, William Black on behalf of
9 the Division.

10 ALJ STERN: All right. And on behalf of
11 Mrs. Kuryanowicz.

12 MS. KURYANOWICZ: Dona Kuryanowicz.

13 ALJ STERN: And you are present on your own
14 behalf, right, ma'am?

15 MS. KURYANOWICZ: Yes.

16 ALJ STERN: Okay. Mr. Black, what is the status
17 of the proceeding at this point?

18 MR. BLACK: Judge, the Division has had an
19 opportunity to meet with Ms. Kuryanowicz I think on
20 three occasions. And I think on each occasion we made
21 progress towards reaching a resolution. Although at
22 this point it appears that Ms. Kuryanowicz wants to have
23 a hearing. She indicated to me this morning that she
24 will not be signing the consent.

25 ALJ STERN: Okay.

1 (Phone rings.)

2 ALJ STERN: I don't know who is calling in at
3 this point. We will see. We will go off the record.

4 (An off-the-record discussion ensued.)

5 ALJ STERN: Okay. Back on the record.

6 You know, I noticed another name in this
7 proceeding in your original notice here, Bennett. Was
8 there a consent order on that proceeding?

9 MR. BLACK: There has not been a consent on that
10 proceeding. It is pending with Judge Martin.

11 ALJ STERN: Oh, that's in Tucson.

12 MR. BLACK: Yes.

13 ALJ STERN: I didn't know what the status of
14 that was and I couldn't remember if it was at the
15 Commission or in court, because I remember seeing
16 something about it.

17 Ms. Kuryanowicz, do you want to have a hearing?
18 Is that your --

19 MS. KURYANOWICZ: Yes, sir.

20 ALJ STERN: Okay. Are you contesting the facts
21 in the proceeding or the amount of dollars that you and
22 the Division are talking about for restitution? Is
23 there any particular part of it?

24 MS. KURYANOWICZ: There are several issues,
25 first and foremost, I guess, being that Ms. Bennett and

1 I had done some kind of things on the side that I don't
2 have really a paper trail for. I did not make \$100,000
3 on this.

4 ALJ STERN: We will get, we will get to whatever
5 the issue is in terms of dollars and cents during a
6 hearing. But you understand that if you want to have a
7 hearing, you are going to have to -- you know, the
8 Division presents its evidence, whatever it may be --

9 MS. KURYANOWICZ: Yes.

10 ALJ STERN: -- based on more likely than not, I
11 assume, I will ask Mr. Black in a minute, what the
12 nature the witnesses are going to be. They are going to
13 have to have financial background material and probably
14 will have gotten it from banks, et cetera. So, you
15 know, they have a burden of proof to prove things. And
16 if you say no, that's not the case, you have a certain
17 burden of proof, too. You have to meet it yourself
18 also, just so you are aware.

19 You have a right to get an attorney if you want
20 to get an attorney. I don't know what your financial
21 situation is, because sometimes these things can be a
22 little bit lengthy.

23 Mr. Black, how many witnesses do you think you
24 might have, if you go to a hearing?

25 MR. BLACK: Five to six, Judge.

1 ALJ STERN: Okay. How many investors?

2 MR. BLACK: Likely no more than three.

3 ALJ STERN: And are you going to have an
4 accounting witness?

5 MR. BLACK: An accountant, an investigator.

6 ALJ STERN: Okay. So approximately how much
7 time will the Division's case take roughly for direct?

8 MR. BLACK: Three days.

9 ALJ STERN: Okay. Ms. Kuryanowicz, have you
10 considered any witnesses you might call at the
11 proceeding besides yourself? You don't have to take the
12 stand either, you know, because you have that option of
13 not testifying.

14 MS. KURYANOWICZ: To answer your question, I am
15 not certain at this time that I would have any
16 witnesses.

17 ALJ STERN: What?

18 MS. KURYANOWICZ: I am not certain whether or
19 not I would have any witnesses at this time.

20 ALJ STERN: Okay. All right. Mr. Black, in
21 terms of a hearing date, we are probably talking July or
22 August maybe. I have to look at my calendar, too,
23 besides looking in this book. It is probably a little
24 bit easier if I look at my calendar before I look in
25 here. Let's go off the record and I will be back in

1 just a minute.

2 (An off-the-record discussion ensued.)

3 ALJ STERN: Returning to the record, we have
4 talked about days of hearing. And let me just check the
5 most important thing and see if we have space in the
6 building.

7 And the parties have agreed August 4th, 5th,
8 6th. If need be, we can go to the 7th; although, since
9 it is the summer, I may change us over to like August
10 11th for a fourth day, if we need it, the following
11 week. Okay? There are, there are some rooms open. So
12 I am not too worried about it in that respect.

13 So we have August 4th, 5th, 6th and either the
14 7th or possibly August 11th of the following week. That
15 should give us enough time for the hearing. If we need
16 more, again, like I say, I can always add time on the
17 end.

18 What I will also order, I will put out a
19 procedural order, and about a month before the scheduled
20 start of the hearing, the Division and the respondent
21 can exchange copies of their witness list and copies of
22 their exhibits, provide me with courtesy copies at the
23 same time.

24 And I just want to check, Ms. Kuryanowicz, to
25 make sure you are still at the address. Are you still

1 at 11506 South Morningside Drive in Goodyear?

2 MS. KURYANOWICZ: Yes, Your Honor.

3 ALJ STERN: Okay. We will send you a copy of
4 the procedural order.

5 Anything else? Any questions, Mr. Black,
6 Ms. Kuryanowicz? No.

7 MR. BLACK: No, Judge.

8 ALJ STERN: Ms. Kuryanowicz?

9 MS. KURYANOWICZ: No.

10 ALJ STERN: Okay. That's, I guess, all that we
11 need to go over today, unless one of you has anything
12 else.

13 I am not averse to you settling the matter
14 before August. If you somehow, some way come to terms
15 on this with the Division, Ms. Kuryanowicz, Mr. Black,
16 let me know so we can vacate the hearing date. In the
17 meantime, I guess I will see you in August. So thank
18 you.

19 MR. BLACK: Thank you, Judge.

20 MS. KURYANOWICZ: Thank you.

21 ALJ STERN: That concludes the proceeding today.

22 (The proceedings concluded at 9:57 a.m.)

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1 STATE OF ARIZONA)
) ss.
 2 COUNTY OF MARICOPA)

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I, COLETTE E. ROSS, Certified Reporter No. 50658 for the State of Arizona, do hereby certify that the foregoing printed pages constitute a full, true and accurate transcript of the proceedings had in the foregoing matter, all done to the best of my skill and ability.

WITNESS my hand this 3rd day of June, 2009.



 COLETTE E. ROSS
 Certified Reporter
 Certificate No. 50658