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BEFORE THE ARIZONA CORPORATION COMMISSION

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2 COMMISSIONERS

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

2010 FEB -1 A 9:00

AZ CORP COMMISSION  
DOCKET CONTROL

6 IN THE MATTER OF:

7 THEODORE J. HOGAN & ASSOCIATES, LLC  
8 a.k.a. TED HOGAN AND ASSOCIATES, an  
9 Arizona limited liability company,

10 THEODORE J. HOGAN a.k.a. TED KILLS IN THE  
11 FOG, a married man,

12 and

13 CHRISTINA L. DAMITIO, a.k.a. CHRISTINA  
14 HOGAN, a married woman,

15 RESPONDENTS.

DOCKET NO. S-20714A-09-0553

Arizona Corporation Commission

**DOCKETED**

FEB - 1 2010

DOCKETED BY	<i>MCA</i>
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**PROCEDURAL ORDER**  
**(Schedules Hearing)**

14 **BY THE COMMISSION:**

15 On December 8, 2009, the Securities Division ("Division") of the Arizona Corporation  
16 Commission ("Commission") filed a Notice of Opportunity for Hearing ("Notice") against Theodore  
17 J. Hogan & Associates, LLC a.k.a. Ted Hogan and Associates, and a.k.a. Ted Kills in the Fog  
18 ("Hogan") and Christina L. Damitio a.k.a. Christina Hogan (collectively "Respondents") in which  
19 the Division alleged multiple violations of the Arizona Securities Act ("Act") in connection with the  
20 offer and sale of securities in the form of investment contracts.

21 The Respondents were duly served with copies of the Notice.

22 On December 22, 2009, requests for hearing were filed by Respondents. Included within  
23 Respondents' requests appear to be an Answer and request for pre-hearing discovery.

24 On January 7, 2010, the Division filed a response to the requests of the Respondents request  
25 for discovery urging their denial.

26 On January 8, 2010, a pre-hearing conference was scheduled on January 28, 2010, and the  
27 request for discovery taken under advisement.  
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1           On January 28, 2010, the Division appeared with counsel and Respondents appeared on their  
2 own behalf. The parties discussed the scheduling of a hearing and discussed a possible settlement  
3 prior to the hearing taking place.

4           Accordingly, a hearing should be scheduled.

5           IT IS THEREFORE ORDERED that a **hearing** shall be held on **June 15, 2010, at 10:00**  
6 **a.m.**, at the Commission's offices, 1200 West Washington Street, Hearing Room 1, Phoenix,  
7 Arizona.

8           IT IS FURTHER ORDERED that the parties shall also reserve **June 16 and 17, 2010** for  
9 additional days of hearing, if necessary, as previously ordered.

10           IT IS FURTHER ORDERED that the **Division shall provide copies of their Exhibits and**  
11 **Witness List to Respondents**, with courtesy copies provided to the presiding Administrative Law  
12 Judge, by **April 23, 2010**.

13           IT IS FURTHER ORDERED that the **Respondents shall provide copies of their Exhibits**  
14 **and Witness List to the Division**, with courtesy copies provided to the presiding Administrative  
15 Law Judge by **May 21, 2010**.

16           IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized  
17 Communications) applies to this proceeding as the matter is now set for public hearing.

18           IT IS FURTHER ORDERED that withdrawal or representation must be made in compliance  
19 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the  
20 Rules of the Arizona Supreme Court). Representation before the Commission includes appearances  
21 at all hearings and procedural conferences, as well as all Open Meetings for which the matter is  
22 scheduled for discussion, unless counsel has previously been granted permission to withdraw by the  
23 Administrative Law Judge or the Commission.

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

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1 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive  
2 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

3 DATED this 1<sup>ST</sup> day of February, 2010.

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6   
7 MARC E. STERN  
ADMINISTRATIVE LAW JUDGE

8 Copies of the foregoing mailed/delivered  
9 this 1<sup>ST</sup> day of February, 2010 to:

10 Theodore J. Hogan  
11 Christina L. Damitio  
12 460 Andante  
13 Sedona, AZ 86336

14 Matt Neubert, Director  
15 Securities Division  
16 ARIZONA CORPORATION COMMISSION  
17 1300 West Washington Street  
18 Phoenix, AZ 85007

19 ARIZONA REPORTING SERVICE, INC.  
20 2200 North Central Avenue, Suite 502  
21 Phoenix, AZ 85004

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By:   
Debra Broyles  
Secretary to Marc E. Stern