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BEFORE THE ARIZONA CORPORATION COMMISSION

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AZ CORP COMMISSION
DOCKET CONTROL

COMMISSIONERS

- KRISTIN K. MAYES - Chairman
- GARY PIERCE
- PAUL NEWMAN
- SANDRA D. KENNEDY
- BOB STUMP

IN THE MATTER OF:

DOCKET NO. S-20656A-09-0074

DAVID W. COLE and SIIRI COLE, husband and wife;

HIGHLINE ESTATES, LLC, an Arizona limited liability company;

MUTUAL FINANCIAL SERVICES, LLC (d/b/a MFS Real Estate Division and MFS Investments), an Arizona limited liability company;

DREAM CRAFT, LLC, an Arizona limited liability company;

SCOT A. OGLESBY (d/b/a ARIZONA ASSET MANAGEMENT) and LORI ANN OGLESBY, husband and wife; and

RANDY K. WARD (CRD # 4137944) (d/b/a Arizona Asset Management) and SHARON WARD, husband and wife,

Respondents.

Arizona Corporation Commission
DOCKETED

FEB 19 2010

DOCKETED BY [Signature]

EIGHTH
PROCEDURAL ORDER
(Vacates Procedural Conference and Hearing)

BY THE COMMISSION:

On February 19, 2009, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing ("Notice") against David W. Cole and Siiri Cole, husband and wife, Highline Estates, LLC ("Highline"), Mutual Financial Services, LLC (d/b/a MFS Real Estate and MFS Investments) ("MFS"), Dream Craft, LLC ("DCL"), Scot A. Oglesby and Lori Ann Oglesby, husband and wife, and Randy K. Ward (CRD #4137944) (d/b/a Arizona Asset Management) and Sharon K. Ward, 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 notes.

The Respondents were duly served with copies of the Notice.

1 On March 2, 2009, requests for hearing were filed by the Respondents Scot A. Oglesby and
2 Randy K. Ward.

3 On March 9, 2009, the Cole, Highline, MFS and DCL Respondents ("Cole Respondents")
4 filed a request for hearing.

5 On April 21, 2009, the Commission issued Decision No. 70967, which approved the Consent
6 Order with respect to the Cole Respondents.

7 On May 7, 2009, at a status conference, the Division appeared with counsel. Respondents
8 Oglesby and Ward appeared on their own behalf. The parties indicated that they were attempting to
9 resolve the issues in the proceeding and the Division requested that a hearing be scheduled in the late
10 fall. Subsequently, by Procedural Order, a hearing was scheduled to commence on the issues raised
11 by the Notice with respect to the two remaining Respondents, Scot A. Oglesby and Randy K. Ward
12 on November 12, 2009.

13 On November 10, 2009, the Division filed a Motion to Continue Administrative hearing and
14 Request for Pre-Hearing Conference ("Motion"). In its Motion, the Division stated that it had
15 reached a tentative settlement with Respondents Randy and Sharon Ward. The settlement was to be
16 submitted in the form of a Consent Order for Commission approval at its December 3, 2009 Open
17 Meeting. The Division further requested a continuance of the then presently scheduled hearing and
18 that a procedural conference be scheduled subsequent to the Commission's Open Meeting to review
19 the status of the proceeding prior to the hearing being re-scheduled. The Division further indicated
20 that the remaining Respondents did not object to the Motion.

21 On November 12, 2009, by Procedural Order, the hearing was vacated and a procedural
22 conference was scheduled on December 8, 2009, after the Commission's December 3, 2009 Open
23 Meeting.

24 On December 3, 2009, the Commission approved the Consent Order with respect to the Ward
25 Respondents in Decision No 71427.

26 On December 7, 2009, the Division filed a Motion to Vacate Pre-hearing Conference and to
27 Set Hearing Date. The Division indicated that it had reached a tentative settlement with the Oglesby
28 Respondents. The settlement was to be submitted in the form of a Consent Order for Commission

1 approval at its February 18, 2010, Open Meeting. The Division requested that a hearing be scheduled
2 subsequent to the Open Meeting in the event that the Consent Order was not approved by the
3 Commission.

4 On December 8, 2009, by Procedural Order, the procedural conference was vacated and a
5 hearing was scheduled on March 8, 2010.

6 On February 18, 2010, the Commission approved the Consent Order with respect to the
7 Oglesby Respondents, after which the Division filed a Motion to Vacate Administrative Hearing.

8 Accordingly, the hearing should be vacated.

9 IT IS THEREFORE ORDERED that the hearing scheduled on March 8, 9, 10 and 11,
10 2010, is hereby vacated.

11 DATED this 19TH day of February, 2010.

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15 _____
16 MARC E. STERN
17 ADMINISTRATIVE LAW JUDGE

16 Copies of the foregoing mail/delivered
17 this 19th day of February, 2010 to:

18 Scot A. Oglesby
19 515 East Carefree Highway, No. 824
20 Phoenix, AZ 85085

21 Matt Neubert, Director, Securities Division
22 ARIZONA CORPORATION COMMISSION
23 1300 West Washington Street
24 Phoenix, AZ 85007

25 ARIZONA REPORTING SERVICE, INC.
26 2200 North Central Avenue, Suite 502
27 Phoenix, AZ 85004-1481

28 By: 
29 _____
30 Debra Broyles
31 Secretary to Marc E. Stern