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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

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AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission
DOCKETED

AUG 13 2010

DOCKETED BY

IN THE MATTER OF:

MJG ENTERPRISES, INC., doing business as
Mike's Lock Club, an Arizona corporation;

ANTHONY BOSCARINO (a/k/a Mike Brown and
Anthony Kokas), a married man;

MARGUERITE JEANE GERHART (a/k/a
Marguerite Boscarino) a married woman;

RESPONDENTS.

DOCKET NO. S-20709A-09-0524

FIFTH
PROCEDURAL ORDER
(Vacates Hearing)

BY THE COMMISSION:

On November 16, 2009, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing ("Notice") against MJG Enterprises, Inc. ("MJG"), Anthony Boscarino (a/k/a Mike Brown and Anthony Kakas) and Marguerite Jeane Gearhart (a/k/a Marguerite Boscarino) (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 investment contracts.

The Respondents were duly served with copies of the Notice.

On November 18, 2009, a request for hearing was filed by Respondents.

On December 3, 2009, by Procedural Order, a pre-hearing conference was scheduled on January 7, 2010.

On January 7, 2010, the Division and Respondents appeared through counsel. The parties are discussing a possible settlement of the proceeding and agreed that a status conference be scheduled in approximately 45 days.

On January 8, 2010, by Procedural Order, a status conference was scheduled on February 25, 2010.

1 On February 25, 2010, the parties appeared through counsel. Although the parties were
2 discussing a resolution of the proceeding, the Division requested that a hearing be scheduled in
3 September in order to accommodate scheduling conflicts.

4 On February 26, 2010, by Procedural Order, a hearing was scheduled on September 13,
5 2010, and August 5, 2010 was set for the exchange of Exhibits and Witness Lists.

6 On July 26, 2010, the Division filed Motion to Continue the date for the exchange of Exhibits
7 and Witness Lists because a Proposed Consent Order was to be submitted for the Commission's
8 approval at its August 12, 2010, Open Meeting which would negate the need for the exchange of
9 documents and the hearing.

10 On July 27, 2010, by Procedural Order, the Division Motion to Continue the date for the
11 exchange of documentation was granted.

12 On August 12, 2010, the Commission approved a Consent Order with respect to the
13 Respondents named in this proceeding. Subsequently, the Division filed a Motion to Vacate the
14 hearing.

15 Accordingly, the hearing scheduled on September 13, 2010, should be vacated.

16 IT IS THEREFORE ORDERED that the **hearing** scheduled to commence on **September 13,**
17 **2010, is hereby vacated.**

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

20 DATED this 3rd day of August, 2010.

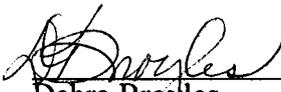
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23 
24 MARC E. STERN
25 ADMINISTRATIVE LAW JUDGE
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28

1 Copies of the foregoing mailed/delivered
2 this 13th day of August, 2010 to:

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