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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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

2010 SEP -1 P 2:55
SECURITIES COMMISSION
DOCKET CONTROL

IN THE MATTER OF:

DOCKET NO. S-20755A-10-0342

FIVE STAR CAPITAL MARKETS, LLC,
a Nevada limited liability company,

JAMES PICCOLO and MARY ELIZABETH
PICCOLO, husband and wife,

CRAIG COTTRELL, CRD# 4552833, and,
ANDREA COTTRELL, husband and wife,

CHARLEVOIX HOMES, LLC, an Arizona
limited liability company,

and

MICHAEL ROBERTS, an unmarried man,

RESPONDENTS.

Arizona Corporation Commission

DOCKETED

SEP 1 2010

DOCKETED BY [Signature]

PROCEDURAL ORDER

BY THE COMMISSION:

On August 17, 2010, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing ("Notice") against Five Star Capital Markets, LLC ("FSCM"), James Piccolo and Mary Elizabeth Piccolo, husband and wife, Craig Cottrell and Andrea Cottrell, husband and wife, Charlevoix Homes, LLC ("Charlevoix") and Michael Roberts, an unmarried man (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 and/or investment contracts.

The Respondents were duly served with copies of the Notice.

On August 25, 2010, a request for hearing was filed by Respondents, FSCM, James and Mary Elizabeth Piccolo, and Craig and Andrea Cottrell.

On August 27, 2010, by Procedural Order, a pre-hearing was scheduled on September 30, 2010.

1 On August 30, 2010, a request for hearing was filed by Respondent Michael Roberts.
2 Accordingly, the pre-hearing conference should be held as previously ordered.

3 IT IS THEREFORE ORDERED that a **pre-hearing conference** shall be held on **September**
4 **30, 2010, at 10:30 a.m.**, at the Commission's offices, 1200 West Washington Street, Hearing Room
5 1, Phoenix, Arizona, as previously ordered.

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

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

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

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

19 DATED this 15th day of September, 2010.

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22 
23 MARC E. STERN
ADMINISTRATIVE LAW JUDGE

24 Copies of the foregoing mailed/delivered
25 this 15th day of September, 2010 to:

26 Jeffrey C. Matura
27 GRAIF BARRETT & MATURA, P.C.
28 1850 North Central Avenue, Suite 500
Phoenix, AZ 85004
Attorney for Respondents Five Star Capital Markets, LLC,
James Piccolo, Mary Elizabeth Piccolo, Craig Cottrell, and Andrea Cottrell

1 Michael Roberts
2 8711 East Pinnacle Peak Road, #213
3 Scottsdale, AZ 85525

4 Matt Neubert, Director, Securities Division
5 ARIZONA CORPORATION COMMISSION
6 1300 West Washington Street
7 Phoenix, AZ 85007

8 ARIZONA REPORTING SERVICE, INC.
9 2200 North Central Avenue, Suite 502
10 Phoenix, AZ 85004

11 By: 
12 Debra Broyles
13 Secretary to Marc E. Stern
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