



0000116392

ORIGINAL

25HC

BEFORE THE ARIZONA CORPORATION COMMISSION RECEIVED

1
2 WILLIAM A. MUNDELL
CHAIRMAN
3 JIM IRVIN
COMMISSIONER
4 MARC SPITZER
COMMISSIONER

Arizona Corporation Commission

DOCKETED

NOV 14 2002

2002 NOV 14 A 10:27

AZ CORP COMMISSION
DOCUMENT CONTROL

5 IN THE MATTER OF THE

DOCKETED BY

CAR

DOCKET NO. S-03364A-02-0000

6
7 CARL DELANO WOODARD
aka: CARL WOODWARD
3065 West Ironwood Circle
8 Chandler, AZ 85226

FIFTH
PROCEDURAL ORDER

9 **BY THE COMMISSION:**

10 On June 20, 2002, the Securities Division ("Division") of the Arizona Corporation
11 Commission ("Commission") filed a Notice of Opportunity for Hearing ("Notice") against Carl
12 Delano Woodard, aka Carl Woodward ("Respondent"), in which the Division alleged multiple
13 violations of the Arizona Securities Act ("Act") in connection with the offer and sale of securities in
14 the form of certificates of participation in a profit-sharing arrangement and/or investment contracts.

15 The Respondent was duly served with a copy of the Notice.

16 On July 20, 2002, a request for hearing was filed for Respondent.

17 On July 16, 2002, by Procedural Order, a pre-hearing conference was scheduled on August 6,
18 2002.

19 On July 24, 2002, Respondent's counsel filed a Request for Continuance ("Request")
20 indicating a possible scheduling conflict due to trial scheduled for the preceding week. The Division
21 did not object to the Request.

22 On July 31, 2002, by Procedural Order, the proceeding was continued to August 8, 2002.

23 On August 8, 2002, at the pre-hearing conference, the Division and the Respondent appeared
24 with counsel. The Division requested a continuance to allow for the replacement of counsel who was
25 retiring from the Commission. Respondent did not object to this request and the parties agreed upon
26 a new date and time for a pre-hearing conference.

27 On August 8, 2002, by Procedural Order, the pre-hearing conference was continued.

28 On September 3, 2002, a pre-hearing conference was held with the Division and the

1 Respondent present with counsel. The parties agreed to attempt to resolve the issues raised in the
2 Notice by entering into a Consent Order for the Commission's approval. In the event that the parties
3 do not reach a resolution or the Commission does not approve a proposed Consent Order, the parties
4 agreed to a hearing being scheduled to commence on December 3, 2002.

5 On September 4, 2002, by Procedural Order, the proceeding was scheduled for a hearing on
6 December 3, 2002.

7 On November 12, 2002, Respondent filed a Motion to Postpone Hearing ("Motion")
8 requesting at least a 30-day continuance. Respondent indicated that the Division was in agreement
9 and further stated that the parties were continuing to negotiate the terms of a Consent Order to be
10 approved by the Commission.

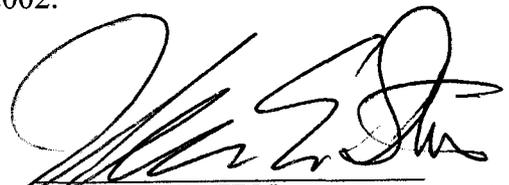
11 Accordingly, the hearing should be continued.

12 IT IS THEREFORE ORDERED that the hearing scheduled on December 3, 2002 shall be
13 continued to January 21, 2003, at 9:30 a.m., at the Commission's offices, 1200 West Washington
14 Street, Phoenix, Arizona.

15 IT IS FURTHER ORDERED that the parties shall also set aside January 22 and 23, 2003 for
16 additional days of hearing, if necessary.

17 IT IS FURTHER ORDERED that the parties shall exchange Witness and Exhibit Lists not
18 later than January 7, 2003, with a copy of same being provided to the presiding Administrative Law
19 Judge.

20 DATED this 14TH day of November, 2002.

21 
22
23 MARC E. STERN
24 ADMINISTRATIVE LAW JUDGE
25
26
27
28

1 Copies of the foregoing mailed/delivered
2 this 14th day of November, 2002 to:

3 Booker T. Evans, Jr.
4 Brian R. Booker
5 QUARLES & BRADY STREICH LANG, LLP
6 Two North Central
7 Phoenix, AZ 85004-2391
8 Attorneys for Respondent

9 Moira McCarthy
10 Assistant Attorney General
11 ARIZONA ATTORNEY GENERAL'S OFFICE
12 1275 West Washington Street
13 Phoenix, AZ 85007

14 W. Mark Sendrow, Director
15 Securities Division
16 ARIZONA CORPORATION COMMISSION
17 1300 West Washington Street
18 Phoenix, AZ 85007

19 ARIZONA REPORT SERVICE, INC.
20 2627 N. Third Street, Ste. Three
21 Phoenix, AZ 85004

22
23
24
25
26
27
28
By: 
Molly Johnson
Secretary to Marc E. Stern