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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

DOCKETED

JAN 13 2003

2003 JAN 13 P 4: 43

AZ CORP COMMISSION  
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IN THE MATTER OF THE.

DOCKET NO. S-03364A-02-0000

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

SEVENTH  
PROCEDURAL ORDER

BY THE COMMISSION:

On June 20, 2002, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing ("Notice") against Carl Delano Woodard, aka Carl Woodward ("Respondent"), 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 certificates of participation in a profit-sharing arrangement and/or investment contracts.

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

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

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

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

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

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

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

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

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

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

12 On November 14, 2002, by Procedural Order, this proceeding was continued to January 21,  
13 2003. However, it became necessary to delay the start of the hearing to **January 22, 2003**.

14 On December 16, 2002, Quarles & Brady Streich Lang, LLP, counsel for Mr. Woodard, filed  
15 a document captioned "Notice of Withdrawal As Counsel of Record with Consent" ("Notice of  
16 Withdrawal"), indicating that it was withdrawing as his counsel because Mr. Woodard had filed  
17 Chapter 7 bankruptcy and would represent himself in the future to avoid the expense of private  
18 counsel. The address and phone number for Mr. Woodard was provided along with an affidavit from  
19 Mr. Woodard consenting to his counsel's withdrawal.

20 The Notice of Withdrawal filed by Quarles & Brady Streich Lang, LLP failed to meet the  
21 requirements for written application to withdraw pursuant to Commission Rule A.A.C. R14-3-104(E)  
22 and Rule 5.1(a)(2)(B) and (C) of the Arizona Rules of Civil Procedure ("Rules") because it was not  
23 indicated that Mr. Woodard had been notified in writing of the status of the case, the hearing dates  
24 and times and the necessity to be prepared for the hearing. In this case, Mr. Woodard should have  
25 been further notified of the change in the initial date of hearing.

26 On December 19, 2002, by Procedural Order, the proceeding was delayed to January 22, 2003  
27 and Quarles & Brady Streich Lang, LLP was ordered to make written application which meets the  
28 requirements of A.A.C. R14-3-104(E), Rule 5.1 of the Rules and consistent with ER 1.16 of Rule 42

1 of the Arizona Rules of Professional Conduct for withdrawal to be permitted.

2 On January 8, 2003, Quarles & Brady Streich Lang, LLP filed an amended Notice of  
3 Withdrawal. The amended Notice of Withdrawal meets the requirements of the law.

4 Accordingly, Quarles & Brady Streich Lang, LLP should be permitted to withdraw as counsel  
5 of record to the Respondent.

6 IT IS THEREFORE ORDERED that Quarles & Brady, Streich, Lang, LLP be, and is hereby  
7 granted, permission to withdraw as counsel of record for Respondent Carl Delano Woodard.

8 DATED this 13<sup>TH</sup> day of January, 2003.



MARC E. STERN  
ADMINISTRATIVE LAW JUDGE

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11  
12  
13 Copies of the foregoing mailed/delivered  
this 13 day of January, 2003 to:

14 Booker T. Evans, Jr.  
15 Brian R. Booker  
16 QUARLES & BRADY STREICH LANG,  
17 LLP  
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Attorneys for Respondent

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19 Carl Delano Woodard  
20 3065 West Ironwood Circle  
21 Chandler, AZ 85226  
Respondent

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