



0000116629

25HC

ORIGINAL

RECEIVED

BEFORE THE ARIZONA CORPORATION COMMISSION

2001 JUL -6 P 2: 28

WILLIAM A. MUNDELL  
CHAIRMAN  
JIM IRVIN  
COMMISSIONER  
MARC SPITZER  
COMMISSIONER

AZ CORP COMMISSION  
DOCUMENT CONTROL

IN THE MATTER OF:

DOCKET NO. S-03445A-01-0000

ACCELERATED SUCCESS, INC.  
500 N. Rainbow Blvd., Ste. 300  
Las Vegas, Nevada 89107  
And  
6671 E. Baseline Rd. #105  
Mesa, AZ 85206

Arizona Corporation Commission

DOCKETED

JUL 06 2001

KENNETH R. MORRIS  
500 N. Rainbow Blvd., Ste. 300  
Las Vegas, Nevada 89107

DOCKETED BY [Signature]

ROBERT D. PIERSON  
6671 E. Baseline Rd. #105  
Mesa, AZ 85206

INTEGRITY ASSURED LIFE SETTLEMENTS,  
INC.  
1218 Pulaski Highway, Ste. 342  
Bear, DE 19701

STEVEN S. LEVINE CHARTERED  
11403 Cronridge Drive, Ste. 230  
Owings Mills, MD 21117-2295,

Respondents.

FIFTH PROCEDURAL ORDER

BY THE COMMISSION:

On April 10, 2001, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing Regarding the Temporary Order to Cease and Desist, for Restitution, for Administrative Penalties, and for Other Affirmative Action ("Notice") against Accelerated Success, Inc.; Kenneth R. Morris; Robert D. Pierson; Integrity Assured Life Settlements, Inc.; and Steven S. Levine Chartered (collectively the "Respondents") in which the Division alleged that Respondents have engaged in acts, practices, and transactions that constitute violations of the Arizona Securities Act ("Act").

Respondents were duly served with copies of the Notice.

1 On April 20, 2001, Robert D. Pierson, through his attorney, filed a request for a hearing and a  
2 pre-hearing conference.

3 On April 26, 2001, the Commission, by Procedural Order, scheduled a pre-hearing conference  
4 for May 3, 2001 in this matter.

5 On May 1, 2001, the Commission was contacted by telephone by Robert Howard, an attorney  
6 in Washington D.C. Mr. Howard informed the Commission that he represented Integrity Assured  
7 Life Settlement, Inc. and Steven S. Levine Chartered and that his clients had just informed him of the  
8 pre-hearing date set in this matter.

9 On May 2, 2001, Mr. Howard contacted the Commission by telephone and informed the  
10 Commission that he would like to attend the pre-hearing conference on May 3, 2001 by telephone.  
11 He indicated that he had contacted Staff and Mr. Salcido and that neither party objected.

12 On May 3, 2001, the pre-hearing was held as scheduled. Mr. Pierson, Integrity Assured Life  
13 Settlement, Inc. and Steven S. Levine Chartered were represented by counsel. The Division also  
14 appeared with counsel. Following discussions between the parties, it was agreed that a hearing  
15 should be scheduled on the issues raised in the Notice during the week of July 16, 2001. Mr. Pierson,  
16 Integrity Assured Life Settlement, Inc. and Steven S. Levine Chartered agreed to waive all applicable  
17 time limits in this matter and have agreed to abide by the temporary order until this matter is  
18 concluded. In the interim, the parties agreed to attempt to resolve the issues raised by the Notice.

19 On May 3, 2001, Accelerated Success, Inc. and Kenneth R. Morris, through their attorney,  
20 filed a request for a pre-hearing conference to set discovery limits and schedules and hearing dates.  
21 In their motion, Accelerated Success, Inc. and Kenneth R. Morris waived the five (5) to fifteen (15)  
22 day hearing requirement in this matter.

23 On May 7, 2001, the Commission, by Procedural Order, scheduled a second pre-hearing  
24 conference for May 23, 2001 in this matter.

25 On May 14, 2001, the Commission received Mr. Howard's motion to appear Pro Hace Vice  
26 and his Notice of Appearance and Request for Hearing on behalf of his clients Integrity Assured Life  
27 Settlement, Inc. and Steven S. Levine Chartered. The motion was consented to by the local law firm  
28 of Fennemore Craig, specifically by Robert J. Hackett, Esq. No objections to this motion have been

1 filed by any party.

2 On May 23, 2001, the second pre-hearing conference was held as scheduled. Respondents  
3 were represented by counsel. The Division also appeared with counsel. Following discussions  
4 between the parties, the hearing scheduled for the week of July 16, 2001 was affirmed. Respondents  
5 agreed to waive all applicable time limits in this matter and have agreed to the abide by the temporary  
6 order until this matter is concluded. In the interim, the parties agreed to attempt to resolve the issues  
7 raised by the Notice.

8 On June 14, 2001, Mr. Howard filed a Motion to Withdraw regarding his client Steven S.  
9 Levine Chartered. He indicated that there is a potential conflict of interest between Integrity Assured  
10 Life Settlement, Inc. and Steven S. Levine Chartered, due to the position taken by the Division during  
11 settlement negotiations. Therefore, he and his firm were forced to withdraw from the representation  
12 of Steven S. Levine Chartered. No objections to this motion have been filed by any party.

13 On June 19, 2001, the Division filed a Change of Caption motion. It indicated that the  
14 Caption in the Notice should be amended from Steven S. Levine d/b/a Steven S. Levine Chartered to  
15 Steven S. Levine Chartered. No objections to this motion have been filed by any party. In reviewing  
16 this motion, the Commission also noticed that in the Caption the address for Steven S. Levine  
17 Chartered was incorrect. The current Caption indicates that Steven S. Levine Chartered is located at  
18 11403 Cronridge Road. However, the staff of Mr. Robert Katz, who now represents Steven S. Levine  
19 Chartered, informed the Commission that the true address for Steven Levine Chartered is 11403  
20 Cronridge Drive.

21 On July 3, 2001, the Division filed a Motion to Continue this case for sixty (60) days. The  
22 motion indicates that the parties are close to settling this matter and that holding a hearing at this time  
23 would not best serve investor interests, nor the interests of the State of Arizona. Subsequently, all of  
24 the Respondents have contacted the Commission and they all agreed with the Motion to Continue.

25 Accordingly, the hearing in this matter should be continued and rescheduled.

26 IT IS THEREFORE ORDERED that the hearing on the above-captioned matter set for July  
27 16, 2001, is vacated and continued until September 24, 2001 at 10:00 a.m., at the Commission's  
28 offices, 1200 West Washington Street, Phoenix, Arizona. The Commission finds that this delay is

1 indispensable to the interests of justice, and that no party will be prejudiced by this delay.

2 IT IS FURTHER ORDERED that Mr. Howard's motion to appear Pro Hace Vice and his  
3 Notice of Appearance is hereby granted.

4 IT IS FURTHER ORDERED that the Motion to Withdraw is granted and therefore Mr.  
5 Howard, McGuireWoods LLP and Fennemore Craig, P.C. are withdrawn as counsel of record as to  
6 Steven S. Levine Chartered.

7 IT IS FURTHER ORDERED that Mr. Katz shall file with the Commission a motion to appear  
8 Pro Hace Vice and a Notice of Appearance on behalf of his client Steven S. Levine Chartered.

9 IT IS FURTHER ORDERED that the Division's motion to change the Caption in the Notice  
10 is granted and therefore future pleadings in this matter will reflect the correct respondent name and  
11 address for Steven S. Levine Chartered.

12 IT IS FURTHER ORDERED that Accelerated Success, Inc., Kenneth R. Morris, Mr. Pierson,  
13 Integrity Assured Life Settlement, Inc. and Steven S. Levine Chartered shall continue to comply with  
14 the Temporary Cease and Desist Order until the issuance of a Decision by the Commission in this  
15 matter.

16 IT IS FURTHER ORDERED that the parties shall exchange witness lists and exhibits not  
17 later than 10 days before the hearing and provide a copy of same to the presiding Administrative Law  
18 Judge.

19 DATED this 6 day of July, 2001.

20  
21  
22  
23   
24 PHILIP J. DION III  
25 ADMINISTRATIVE LAW JUDGE  
26  
27  
28

1 Copies of the foregoing mailed/delivered  
2 this 6 day of July, 2001 to:

3 Michael Salcido  
4 GUST ROSENFELD PLC  
5 201 N. Central Avenue, Suite 3300  
6 Phoenix, Arizona 85073-330  
7 Attorneys for Robert D. Pierson

8 Robert Howard  
9 McGuireWoods  
10 Washington Square  
11 1050 Connecticut Avenue NW  
12 Suite 1200  
13 Washington D.C. 20036  
14 Attorney for Integrity Assured Life Settlements, Inc.

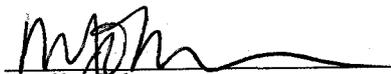
15 John R. Augustine, Jr.  
16 The Citadel, Suite 300  
17 2727 North Third Street  
18 Phoenix, Arizona 85004-1106  
19 Attorney for Accelerated Success, Inc. and Kenneth R. Morris

20 Ronald Katz  
21 11403 Cronridge Drive, Ste. 230  
22 Owings Mills, MD 21117-2295  
23 Attorney for Steven S. Levine Chartered

24 Robert A. Zumoff  
25 Assistant Attorney General  
26 ARIZONA ATTORNEY GENERAL'S OFFICE  
27 1275 West Washington Street  
28 Phoenix, Arizona 85007

W. Mark Sendrow, Director  
Securities Division  
ARIZONA CORPORATION COMMISSION  
1300 West Washington Street  
Phoenix, Arizona 85007

ARIZONA REPORTING SERVICE, INC.  
2627 N. Third Street, Suite Three  
Phoenix, Arizona 85004-1104

24 By:   
25 Molly Johnson  
26 Secretary to Philip J. Dion III  
27  
28