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WILLIAM A. MUNDEI
CHAIRMAN

JIM IRVIN
COMMISSIONER

MARC SPITZER
COMMISSIONER

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ARIZONA CORPORATION COMMISSION

AZ CORP COMMIS OPEN MEETING ITEM
DOCUMENT CONTR 8/29/02

MEMORANDUM

BRIAN C. McNEIL
EXECUTIVE SECRETARY

MARK SENDROW
DIRECTOR

SECURITIES DIVISION
1300 West Washington, Third Floor
Phoenix, AZ 85007-2996
TELEPHONE: (602) 542-4242
FAX: (602) 594-7470
E-MAIL: accsec@ccsd.cc.state.az.us

TO: Chairman William A. Mundell
Commissioner Jim Irvin
Commissioner Marc Spitzer

FROM: Mark Sendrow *MS*
Director of Securities

DATE: August 14, 2002

RE: Alan Bruce Stoner, Case No. S-03485A-02-0000

CC: Brian C. McNeil, Executive Secretary

Arizona Corporation Commission
DOCKETED
AUG 15 2002

DOCKETED BY *CM*

Attached is a proposed Order of Revocation against Respondent Alan Bruce Stoner ("Stoner"). On June 25, 2002, the Securities Division ("Division") filed a Notice of Opportunity for Hearing Regarding Proposed Order of Revocation and for Other Affirmative Action ("Notice"), alleging that Stoner was convicted of a felony involving forgery. Stoner was incarcerated in Maricopa County Jail for six months beginning March 7, 2002, placed on probation for a term of four years beginning March 7, 2002; ordered to perform 200 hours community service beginning September 1, 2002; and ordered to pay restitution in the amount of \$6,000.

The Division alleged in the Notice that Stoner's conviction for forgery was grounds for revocation under A.R.S. §§ 44-1962(A).

On July 1, 2002, the Division properly served a copy of the Notice on Respondent at Maricopa County Jail. Respondent failed to request an administrative hearing. Therefore, a default order is appropriate.

MS: ptj
W/ attachments

Originator: Pam Johnson
Assistant Attorney General Assigned: Moira McCarthy

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 WILLIAM A. MUNDELL
Chairman
3 JIM IRVIN
Commissioner
4 MARC SPITZER
Commissioner
5

6 In the matter of:

7 ALAN BRUCE STONER
(CRD #2742542)
8 7154 W. Eugie Avenue
Peoria, Arizona 85381
9

10 Respondent.

)
) DOCKET NO. S-03485A-02-0000
)
) ORDER OF REVOCATION
)
) DECISION NO. _____
)
)
)
)
)

11 **I.**

12 **INTRODUCTION**

13
14 1. On June 25, 2002, the Securities Division (the "Division") of the Arizona Corporation
15 Commission (the "Commission") filed a Notice of Opportunity for Hearing Regarding Proposed Order
16 of Revocation and Other Affirmative Action (the "Notice") against Alan Bruce Stoner ("STONER"),
17 alleging violations of the Securities Act of Arizona (the "Act"). The Notice specified that STONER
18 would be afforded an opportunity for an administrative hearing upon written request filed with the
19 Commission's Docket Control within ten (10) days after receipt of the Notice, in accordance with
20 A.A.C. Rule R14-4-306(B).

21 2. On July 1, 2002, the Division served a copy of the Notice upon STONER by personal
22 service pursuant to A.R.S. § 44-1972 (D), as permitted by A.A.C. Rule R14-4-304(B), at 2939 W.
23 Durango, Phoenix, Arizona, 85009. See copy of Affidavit of Service attached hereto as Exhibit "A."

24 3. Pursuant to A.A.C. Rule R14-4-306(B), a Respondent is permitted to request a hearing
25 in writing within 10 business days after receipt of the Notice by Respondent. STONER failed to
26 request an administrative hearing.

II.

FINDINGS OF FACT

1
2
3 4. On February 12, 2002, STONER was convicted in Superior Court of the State of
4 Arizona in and for the County of Maricopa, in Maricopa County Cause Number CR2001-008808B, of
5 Count II: Forgery, a class 4 felony, after entering a plea of guilty. STONER was placed on probation
6 for a term of four years beginning March 7, 2002; incarceration in Maricopa County Jail for six months
7 beginning March 7, 2002, to be released August 6, 2002; 200 hours community service beginning
8 September 1, 2002, and restitution in the amount of \$6,000.

III.

CONCLUSIONS OF LAW

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10
11 1. The Commission has jurisdiction over this matter pursuant to Article XV of the
12 Arizona Constitution and the Securities Act.

13 2. STONER failed to request a hearing.

14 3. STONER's conduct is grounds to revoke STONER's registration as a securities
15 salesman with the Commission pursuant to A.R.S. § 44-1962. Specifically, STONER:

16 i) Has been convicted within ten years preceding the date of filing the
17 application for registration as a salesman, or at anytime thereafter, of a felony
18 of which fraud is an essential element; and/or

19 ii) Is lacking in integrity, as specified in A.R.S. § 44-1962(A)(4), in that he
20 conducted himself in a manner demonstrating lack of integrity in that his
21 conduct resulted in a felony conviction for forgery.

IV.

ORDER

22
23
24 THEREFORE, on the basis of the Findings of Fact and Conclusions of Law, the following
25 relief is appropriate, in the public interest, and necessary for the protection of investors:
26

1 IT IS ORDERED, pursuant to A.R.S. § 44-1962, that STONER's securities salesman
2 registration is revoked from the date of this Order.

3 IT IS FURTHER ORDERED that this Order shall become effective immediately.

4 BY ORDER OF THE ARIZONA CORPORATION COMMISSION
5
6

7 CHAIRMAN

COMMISSIONER

COMMISSIONER

8
9 IN WITNESS WHEREOF, I, BRIAN C. McNEIL,
10 Executive Secretary of the Arizona Corporation
11 Commission, have hereunto set my hand and caused the
12 official seal of the Commission to be affixed at the Capitol,
13 in the City of Phoenix, this _____ day of August, 2002.

14 _____
15 BRIAN C. McNEIL
16 Executive Secretary

17 _____
18 DISSENT

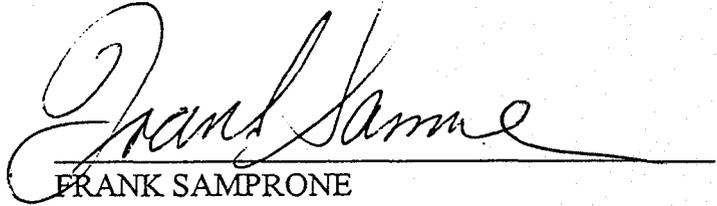
19 This document is available in alternative formats by contacting Shelly M. Hood, ADA Coordinator,
20 voice phone number 602-542-3931, E-mail shood@cc.state.az.us.

21 PTJ
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1 STATE OF ARIZONA)
2 County of Maricopa)

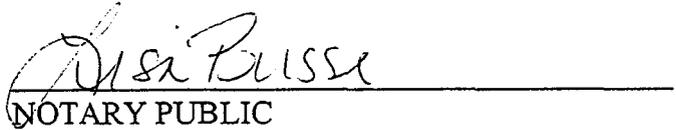
AFFIDAVIT OF SERVICE
(Personal Service)

3 I, Frank Samprone, for the Securities Division of the Arizona Corporation
4 Commission, hereby certify that on the 1 day of July, 2002 at 10:45 am, I served a copy of Notice
5 of Oppertunity for Hearing Regarding Proposed Order of Revocation and for Other Affirmative
6 Action., Docket No. S-3485-A-02-0000, upon Alan Bruce Stoner at 2939 W Durango, Phoenix AZ
7 85009.

8 
FRANK SAMPRONE

9
10 SUBSCRIBED AND SWORN TO BEFORE me this 1st day of

11 July, 2002.
12

13 
14 NOTARY PUBLIC

15 My Commission Expires:
16 _____



Notary Public State of Arizona
Maricopa County
Lisa Busse
Expires October 30, 2004

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AZ STATE COMMISSION
NOTARY PUBLIC