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25HC

BEFORE THE ARIZONA CORPORATION COMMISSION

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

Arizona Corporation Commission
DOCKETED

SEP 30 2002

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AZ CORP COMMISSION
DOCUMENT CONTROL

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5
6 IN THE MATTER OF THE.

DOCKET NO. S-03486A-02-0000

7 DAVID R. KRIZMAN
3620 N. Lynford Place
Tucson, AZ 85749

PROCEDURAL ORDER

8
9 **BY THE COMMISSION:**

10 On May 31, 2002, the Securities Division ("Division") of the Arizona Corporation
11 Commission ("Commission") filed a Notice of Opportunity for Hearing ("Notice") against David R.
12 Krizman ("Respondent"), in which the Division alleged multiple violations of the Arizona Securities
13 Act ("Act") in connection with the offer and sale of securities in the form of viatical settlements
14 and/or investment contracts.

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

16 On June 18, 2002, Walter L. Baumgardner, a Michigan attorney, filed a request for hearing
17 for Respondent.

18 On June 25, 2002, by Procedural Order, a pre-hearing conference was scheduled for July 11,
19 2002 and Mr. Baumgardner was directed to comply with Rule 33(d) of the Arizona Supreme Court.

20 On July 11, 2002, at the pre-hearing conference, counsel for the Division appeared and
21 indicated that he had recently conferred with counsel for the Respondent and they were negotiating a
22 form of Consent Order. Counsel for the Division requested a hearing be scheduled in 60 to 90 days if
23 a Consent Order is not approved in the interim by the Commission.

24 On July 12, 2002, by Procedural Order, a hearing was scheduled for October 1, 2002.

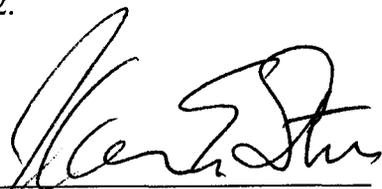
25 On September 27, 2002, the Division filed a Motion to Continue the proceeding for an
26 additional 60 days as the parties attempt to finalize a Consent Order to be approved by the
27 Commission.

28 Accordingly, the hearing should be continued for approximately 60 days.

1 IT IS THEREFORE ORDERED that a hearing shall be continued from October 1, 2002 to
2 **December 11, 2002 at 9:30 a.m.**, at the Commission's offices, 1200 West Washington Street,
3 Phoenix, Arizona, if a Consent Order is not previously approved by the Commission.

4 IT IS FURTHER ORDERED that, if a hearing is held, the parties shall exchange witness and
5 exhibit lists by 4:00 p.m. on December 2, 2002, with a copy provided to the presiding Administrative
6 Law Judge

7 DATED this 30TH day of September, 2002.

8
9
10 
11 MARC E. STERN
ADMINISTRATIVE LAW JUDGE

12 Copies of the foregoing mailed/delivered
13 this 30TH day of September, 2002 to:

14 Walter L. Baumgardner
15 MUSSILI, BAUMGARDNER & PARNELL
16 24001 Greater Mack Avenue
St. Clair Shores, MI 48080

17 Moira McCarthy
18 Assistant Attorney General
ARIZONA ATTORNEY GENERAL'S OFFICE
19 1275 West Washington Street
Phoenix, AZ 85007

20 W. Mark Sendrow, Director
Securities Division
ARIZONA CORPORATION COMMISSION
21 1300 West Washington Street
Phoenix, AZ 85007

22 ARIZONA REPORT SERVICE, INC.
23 2627 N. Third Street, Ste. Three
24 Phoenix, AZ 85004

25
26 By: 
27 Molly Johnson
Secretary to Marc E. Stern