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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

MARC SPITZER, Chairman  
JIM IRVIN  
WILLIAM A. MUNDELL  
JEFF HATCH-MILLER  
MIKE GLEASON

Arizona Corporation Commission

DOCKETED

JUL 14 2003

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AZ CORP COMMISSION  
DOCUMENT CONTROL

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IN THE MATTER OF THE.

DOCKET NO. S-03489A-03-0000

KATHLEEN WHORLEY SOMMER  
[CRD No. 27500361],  
dba Sommer & Associates  
249 W. Waltann Lane  
Phoenix, AZ 85023

and JOHN DOE, husband and wife,

Respondents.

**THIRD**  
**PROCEDURAL ORDER**

BY THE COMMISSION:

On February 25, 2003, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing ("Notice") against Kathleen Whorley Sommer and John Doe ("Respondents"), 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 investment contracts.

The Respondents were duly served with a copy of the Notice.

On March 25, 2003, a request for hearing and Motion to Dismiss ("Motion") was filed for Respondents.

On March 26, 2003, the Division filed a response to Respondent's Motion and requested a pre-hearing be set.

On April 1, 2003, by Procedural Order, a pre-hearing conference was scheduled.

On April 10, 2003, the pre-hearing conference was held with the Division and Respondent represented by counsel. Discovery and scheduling of the proceeding were discussed. Counsel for the Division indicated a planned absence from April 11, 2003 until early July, 2003 that would require the matter be held in abeyance until that time. It was agreed that an additional pre-hearing

1 conference be scheduled in July, 2003.

2 On April 10, 2003, by Procedural Order, a further pre-hearing conference was scheduled for  
3 July 15, 2003.

4 On July 8, 2003, an attorney for the Division filed a notice of substitution of counsel and a  
5 Motion for a Continuance ("Motion"). Respondents did not oppose the Motion.

6 Accordingly, the Division's Motion should be granted and the pre-hearing conference should  
7 be continued.

8 IT IS THEREFORE ORDERED that the pre-hearing conference scheduled on July 15, 2003  
9 at 9:30 a.m., shall be continued to July 30, 2003, at 9:00 a.m., at the Commission's offices, 1200  
10 West Washington Street, Phoenix, Arizona.

11 DATED this 14<sup>TH</sup> day of July, 2003.

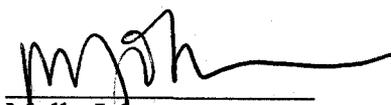
12  
13  
14   
15 MARC E. STERN  
ADMINISTRATIVE LAW JUDGE

16 Copies of the foregoing mailed/delivered  
17 this 14 day of July, 2003 to:

18 Harry N. Stone  
19 3030 N. 3<sup>rd</sup> Street  
20 Phoenix, AZ 85012  
Attorneys for Respondent

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

24 ARIZONA REPORTING SERVICE, INC.  
25 2627 N. Third Street, Ste. Three  
Phoenix, AZ 85004

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