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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

Arizona Corporation Commission

DOCKETED

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

JUL 21 2003

AZ CORP COMMISSION
DOCUMENT CONTROL

DOCKETED BY

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.

**FOURTH
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.

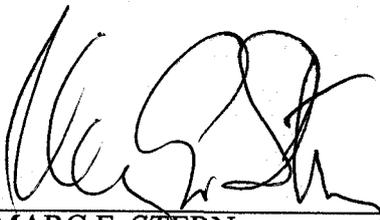
6 On July 14, 2003, by Procedural Order, the pre-hearing conference scheduled for July 15,
7 2003 was continued to July 30, 2003.

8 On July 17, 2003, Respondent's counsel requested a brief continuance due to scheduling
9 conflict. The Division did not object to this request.

10 Accordingly, the request by counsel for the Respondent should be granted and the pre-hearing
11 conference should be continued.

12 IT IS THEREFORE ORDERED that the pre-hearing conference scheduled on July 30, 2003
13 at 9:00 a.m., shall be continued to August 5, 2003, at 2:00 p.m., at the Commission's offices, 1200
14 West Washington Street, Phoenix, Arizona.

15 DATED this 21st day of July, 2003.

16
17
18 
19 MARC E. STERN
ADMINISTRATIVE LAW JUDGE

20 Copies of the foregoing mailed/delivered
21 this 21 day of July, 2003 to:

22 Harry N. Stone
23 3030 N. 3rd Street
24 Phoenix, AZ 85012
Attorneys for Respondent

25 W. Mark Sendrow, Director
26 Securities Division
27 ARIZONA CORPORATION COMMISSION
1300 West Washington Street
Phoenix, AZ 85007

28 ...
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4 By: 
5 Molly Johnson
6 Secretary to Marc E. Stern
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