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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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

Arizona Corporation Commission

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AZ CORP COMMISSION
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IN THE MATTER OF THE.

DOCKET NO. S-03493A-03-0000

ROBERT C. FROST/ROBIN FROST
Husband and wife,
6062 E. Ludlow
Scottsdale, AZ 85254.

FIFTH
PROCEDURAL ORDER

BY THE COMMISSION:

On April 3, 2003, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing ("Notice") against Robert C. Frost and Robin Frost ("Respondents"), in which the Division alleged multiple violations of the Arizona Securities Act ("Act") in connection with the offer and sale of securities.

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

On April 10, 2003, a request for hearing was filed for Respondents.

On April 11, 2003, by Procedural Order, a pre-hearing conference was scheduled for April 30, 2003.

On April 30, 2003, counsel for the Division and the Respondents appeared at the pre-hearing conference. Respondents requested a 30-day extension of time in which to file their Answer to the Notice. The Division did not object to this request. Counsel for the parties also indicated they were going to discuss a possible resolution of the proceeding in the interim. It was also agreed that an additional pre-hearing should be scheduled in approximately 45 days.

On April 30, 2003, by Procedural Order, leave was granted for Respondents to file their Answer until June 2, 2003 and an additional pre-hearing scheduled.

On June 2, 2003, Respondents filed their Answer.

On June 17, 2003, another pre-hearing conference was held with the Division and Respondents represented by counsel. The status of the proceeding was reviewed and matters relating

1 to discovery were discussed. The Division stipulated to the amendment of Respondents' Answer
2 being filed by June 30, 2003. The parties further agreed that for scheduling purposes, an additional
3 pre-hearing conference be scheduled in the latter part of October after the expected conclusion of
4 discovery which has been delayed due to the absence of investor witnesses from Arizona until
5 approximately the end of August, 2003.

6 On June 17, 2003, by Procedural Order, another pre-hearing conference was scheduled on
7 October 23, 2003. Leave was granted to file Respondents' amended Answer by June 30, 2003.

8 On October 23, 2003, the Division and Respondents appeared through counsel. It was agreed
9 that counsel for the parties would subsequently contact the presiding Administrative Law Judge to
10 schedule a hearing on the Notice. Counsel have failed to contact the presiding Administrative Law
11 Judge to schedule a hearing as agreed and an additional pre-hearing conference should be held to
12 schedule the hearing.

13 On January 16, 2004, by Procedural Order, a pre-hearing conference was scheduled for
14 January 29, 2004.

15 On January 21, 2004, counsel for the Division filed a Motion to Reschedule the pre-hearing
16 conference due to a scheduling conflict of counsel.

17 Accordingly, the pre-hearing conference should be continued.

18 IT IS THEREFORE ORDERED that the pre-hearing conference scheduled on January 29,
19 2004 shall be continued to **February 12, 2004 at 11:00 a.m.**, at the Commission's offices, 1200
20 West Washington Street, Phoenix, Arizona.

21 DATED this 22nd day of January, 2004.

22
23
24 
25 MARCE. STERN
ADMINISTRATIVE LAW JUDGE

26 ...
27 ...
28 ...

Copies of the foregoing mailed/delivered
this 27 day of January, 2004 to:

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By: 
Molly Johnson
Secretary to Marc E. Stern

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