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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

2003 AUG 22 P 1:29

AZ CORP COMMISSION  
DOCUMENT CONTROL

IN THE MATTER OF:

EVELYN BAUMGARDNER  
dba Your Living Trust  
7141 North 51<sup>st</sup> Avenue, Ste. B2  
Glendale, AZ 85301

John Doe Baumgardner  
7141 North 51<sup>st</sup> Avenue, Ste. B2  
Glendale, AZ 85301

Respondents.

DOCKET NO. S-03509A-02-0000

Arizona Corporation Commission  
DOCKETED

AUG 22 2003

DOCKETED BY

PROCEDURAL ORDER

BY THE COMMISSION:

On November 18, 2002, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing Regarding Proposed Order to Cease and Desist, for Restitution, for Administrative Penalties, and For Other Affirmative Action ("Notice") against Evelyn Baumgardner, dba Your Living Trust and John Doe Baumgardner ("Respondents") in which the Division alleged that Respondent have engaged in acts, practices, and transactions that constitute violations of the Arizona Securities Act ("Act").

On May 21, 2003, Anthony Bingham, attorney for Respondents, filed a Notice of Appearance and Request for Hearing.

On May 22, 2003, by Procedural Order, a pre-hearing was scheduled for July 9, 2003.

On June 23, 2003, Respondents filed a Motion to Continue the Pre-Hearing Conference that stated that counsel for Respondents would not be available.

On June 26, 2003, by Procedural Order, the pre-hearing was continued until July 24, 2003.

On July 24, 2003, the pre-hearing was held as scheduled. Mr. and Mrs. Baumgardner appeared through counsel. The Division also appeared and was represented by counsel. During the course of the pre-hearing, the parties agreed that another pre-hearing conference should be scheduled

1 in this matter as there are a number of discovery issues that need to be addressed in this case.

2 Accordingly, another pre-hearing conference should be set to address the discovery issues, the  
3 presentation of evidence and the scheduling of discovery timelines and a hearing.

4 IT IS THEREFORE ORDERED that a pre-hearing conference shall be scheduled for October  
5 15, 2003 at 2:00 p.m. at the Commission's office, 1200 W. Washington, Phoenix, Arizona.

6 IT IS FURTHER ORDERED that the Ex Parte Rule is still in effect.

7 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend or waive  
8 any portion of this Procedural Order by subsequent Procedural Order or by ruling at hearing.

9 DATED this 22 day of August, 2003.

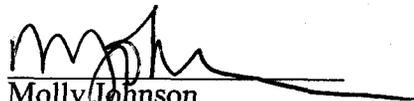
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11  
12 PHILIP J. DION III  
ADMINISTRATIVE LAW JUDGE

13 Copies of the foregoing mailed/delivered  
14 this 22 day of August, 2003 to:

15 Anthony B. Bingham  
16 1423 South Higley Road, Bldg. 4, Ste. 110  
Mesa, AZ 85206  
Attorney for Respondents

17 Matt Neubert, Acting Director  
18 Securities Division  
19 Arizona Corporation Commission  
1200 W. Washington  
Phoenix, AZ 85007

20 ARIZONA REPORTING SERVICE, INC.  
21 2627 N. Third Street, Suite Three  
Phoenix, Arizona 85004-1104

22   
23 By: Molly Johnson  
24 Secretary to Philip J. Dion III