



0000117464

ORIGINAL

25DM

RECEIVED
AZ CORP. COMMISSION

BEFORE THE ARIZONA CORPORATION COMMISSION

DOCKETED

AUG 16 3 45 PM '00

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CARL J. KUNASEK
CHAIRMAN
JIM IRVIN
COMMISSIONER
WILLIAM A. MUNDELL
COMMISSIONER

AUG 16 2000

DOCUMENT CONTROL

DOCKETED BY
N

IN THE MATTER OF:

DOCKET NO. S-03361A-00-0000

CALUMET SLAG, INC.,
An Arizona corporation
13433 N. 16th Avenue
Phoenix, Arizona 85029

GARETH N. PATTON
23769 Blue Lead Mountain Road
Hill City, South Dakota 57745

JEFFREY G. CRAWFORD
1822 N. Barkley
Mesa, Arizona 85203

MATTHEW E. HUNZINGER
13031 N. 59th Drive
Glendale, Arizona 85304,

Respondents.

THIRD
PROCEDURAL ORDER

BY THE COMMISSION:

On April 21, 2000, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing Regarding Proposed Order for Relief ("Notice") against Calumet Slag, Inc. ("Calumet"), Gareth N. Patton, Jeffrey G. Crawford and Matthew E. Hunzinger, (collectively the "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 shares of stock in Calumet.

The Respondents were all duly served with copies of the Notice.

On April 27, 2000, Respondent Matthew E. Hunzinger filed a request for hearing.

On May 2, 2000, Respondent Jeffrey G. Crawford filed a request for hearing.

On May 25, 2000, Respondent Gareth N. Patton requested a hearing.

On May 25, 2000, the initial pre-hearing conference was held and the parties agreed that a further pre-hearing conference should be scheduled for June 13, 2000

1 On June 8, 2000, by Procedural Order, the pre-hearing conference scheduled for June 13,
2 2000 was continued to June 23, 2000 because of a scheduling conflict.

3 On June 23, 2000, the second pre-hearing conference took place at the offices of the
4 Commission in Phoenix, Arizona. Counsel for the respective parties indicated that settlement
5 discussions had been going on, but additional time was needed prior to the scheduling of a hearing.
6 Pursuant to a stipulation of counsel for the respective Respondents, the hearing would commence on
7 August 21, 2000, at 9:30 a.m., at the offices of the Commission, in Phoenix, Arizona. It was also
8 agreed that the remainder of the week was available for additional days of hearing, if necessary.

9 On August 7, 2000, Respondent Hunzinger filed a Motion To Continue ("Motion") the
10 hearing scheduled for the week of August 21, 2000, because it was alleged that additional time was
11 required to negotiate a settlement.

12 On August 11, 2000, Respondent Calumet indicated that it did not oppose the Motion filed
13 on behalf of Mr. Hunzinger.

14 On August 14, 2000, the Division filed its response in opposition to the Motion for a further
15 continuance of the proceeding and pointed out that there was still time to negotiate a settlement prior
16 to the commencement of the hearing.

17 Subsequently, on August 15, 2000, Respondent Patton joined in the Motion filed on behalf of
18 Mr. Hunzinger.

19 ...
20 ...
21 ...
22 ...
23 ...
24 ...
25 ...
26 ...
27 ...
28 ...

1 Accordingly, the Motion should be denied because good cause has not been shown for the
2 proceeding to be continued further, absent any compelling reasons, since the proceeding was
3 scheduled for hearing approximately two months earlier. However, this will not preclude the parties
4 having further settlement discussions prior to the commencement of the hearing on August 21, 2000.

5 IT IS THEREFORE ORDERED that the Motion to Continue filed on the behalf of Mr.
6 Matthew E. Hunzinger be, and is hereby, denied.

7
8 DATED this 16th day of August 2000.

9
10
11 
12 MARC E. STERN
ADMINISTRATIVE LAW JUDGE

13 Copies of the foregoing mailed/delivered
14 this 16 day of August, 2000 to:

15 Michael Salcido
16 2929 North 44th Street, Suite 120
17 Phoenix, Arizona 85018-7239
Attorney for Gareth N. Patton

18 John R. Augustine, Jr.
19 JOHN R. AUGUSTINE, JR., P.C.
20 The Citadel, Suite 300
2727 North Third Street
Phoenix, Arizona 85004-1106
Attorney for Jeffrey G. Crawford

21 Deanna S. Peck
22 Kevin D. Quigley
23 STREICH LANG, P.A.
Two North Central Avenue
Phoenix, Arizona 85004
Attorneys for Matthew E. Hunzinger

24 Paul A. Conant
25 GALBUT & CONANT
26 2425 E. Camelback rd. suite 1020
Phoenix, Arizona 85016
Attorneys for Calumet Slag, Inc.

27 Robert A. Zumoff
28 Assistant Attorney General

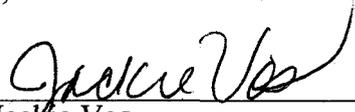
1 ARIZONA ATTORNEY GENERAL'S OFFICE
1275 West Washington Street
Phoenix, Arizona 85007

2
3 Mark Sendrow, Director
Securities Division
Jamie Palfie

4 ARIZONA CORPORATION COMMISSION
1300 West Washington Street
5 Phoenix, Arizona 85007

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

8
9 By:



Jackie Vos
Secretary to Marc E. Stern

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28