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BEFORE THE ARIZONA CORPORATION COMMISSION RECEIVED

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3 WILLIAM A. MUNDELL
Chairman
4 JIM IRVIN
Commissioner
5 MARC SPITZER
Commissioner

Arizona Corporation Commission

DOCKETED

MAY 25 2001

2001 MAY 25 P 2: 25

AZ CORP COMMISSION
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6 In the matter of:

DOCKET NO. S-03439A-00-0000

7 TOWER EQUITIES, INC.
8 8141 N. Main Street
Dayton, Ohio 45415-1747
9 CRD #16195

STIPULATED MOTION
TO CONTINUE HEARING

10 PHILIP A. LEHMAN
Tower Equities, Inc.
11 8141 N. Main Street
Dayton, Ohio 45415-1747
12 CRD #1345038,

13 Respondents.

14 The Securities Division ("Division") of the Arizona Corporation Commission
15 ("Commission"), pursuant to direction by Hearing Officer Marc Stern, submits this Stipulated
16 Motion to Continue Hearing. During a conference call on May 25, 2001, at 9:00 a.m., counsel for
17 the Division and counsel for both respondents, Barbara Mallon, agreed to request that the May 30,
18 2001, 9:30 a.m. hearing date be vacated and that the hearing in this matter be scheduled instead for
19 June 13, 2001, at 9:30 a.m. This will permit Ms. Mallon to complete and file her application for
20 admission *pro hac vice* for purposes of representing Respondents at the hearing, and also will
21 provide time for the parties to exchange proposed exhibits. Additional agreements were reached
22 as follows:

- 23 1. A Joint Pre-Hearing Statement, containing stipulations of fact and the parties' requests
24 for findings of fact, identification of issues of law and policy, and a summary of their
25 positions on those issues, will be filed on or before May 30, 2001.
26 2. Lists of proposed hearing exhibits and witnesses (if any), and copies of listed exhibits,
will be exchanged by the parties on or before June 6, 2001.

1 Dated this 25th day of May, 2001

2
3 **Janet Napolitano**
Attorney General for the State of Arizona

4 

5 **Moira McCarthy**
Assistant Attorney General

6 **Amy J. Leeson**
7 Special Assistant Attorney General
8 Attorneys for the Securities Division of the
9 Arizona Corporation Commission

8 Original and Ten Copies
9 filed with Docket Control
10 on May 25, 2001.

10 A copy of the foregoing faxed and
11 mailed on May 25, 2001 to:

12 Barbara A. Mallon
13 Mallon & Johnson, P.C.
14 Attorneys At Law
15 19 South LaSalle Street, Ste. 1202
Chicago, Illinois 60603
Attorney for both Respondents

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