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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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SEP 23 2010

COMMISSIONERS

KRISTIN K. MAYES, Chairman
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP

DOCKETED BY	<i>25886</i>
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In the matter of:)
ENERGETICS, INC., a Nevada corporation;)
STEVEN P. GIUFFRIDA and MICHELLE)
GIUFFRIDA, husband and wife; and)
RODNEY PETERSON and VIRGINIA)
PETERSON, husband and wife;)
Respondents.)

DOCKET NO: S-20648A-09-0010

**RESPONSE TO STEVEN P.
GIUFFRIDA'S MOTION TO
CONTINUE ADMINISTRATIVE
HEARING**

On September 22, 2010, the Securities Division ("Division") received a request to continue the September 28, 2010, administrative hearing for six months from Steven P. Giuffrida ("Giuffrida"). Giuffrida cited two reasons for his request. First, Giuffrida said his counsel, Jeff Proper, withdrew from the case. Second, Giuffrida said he has financial stress. While the Division is sympathetic to Giuffrida's personal issue, the Division opposes this request for a continuance.

On January 12, 2009, the Division filed its Notice of Opportunity for Hearing Regarding Proposed Order to Cease and Desist, Order for Restitution, Order for Administrative Penalties and for Other Affirmative Action ("Notice").

On January 23, 2009, Charles Berry, Esq., filed a Notice of Appearance on behalf of Giuffrida, Michelle Giuffrida, and Energetics, Inc. (collectively "Respondents") and requested a hearing.

On February 13, 2009, counsel for Respondents filed an Answer.

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1 On February 25, 2009, counsel representing the Division and Respondents appeared before
2 Administrative Law Judge Marc Stern ("ALJ Stern") at a pre-hearing conference. After this
3 appearance, ALJ Stern ordered a status conference on April 2, 2009.

4 On March 24, 2009, Charles Berry, Esq. withdrew as counsel of record for the
5 Respondents.

6 On April 2, 2009, Giuffrida appeared at a status conference on his own behalf.

7 On May 7, 2009, Jeff Proper, Esq., entered an appearance on behalf of Respondents.

8 On August 4, 2009, the Division filed a First Amended Notice.

9 On August 18, 2009, and August 31, 2009, the Respondents filed a request for hearing and
10 Answer to the Amended Notice, respectively.

11 On November 20, 2009, by Procedural Order, a hearing was scheduled on May 4, 2010.

12 On April 23, 2010, the Division filed a Motion to Continue the May 4, 2010, hearing
13 because the Division reached a tentative settlement with other parties in this matter.

14 On May 20, 2010, the Division and counsel for the Respondents agreed to schedule a
15 hearing in September to avoid conflicts with other matters.

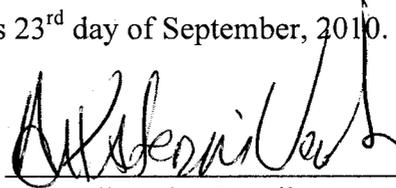
16 On May 24, 2010, by Procedural Order, a hearing was re-scheduled to begin on September
17 28, 2010.

18 On August 25, 2010, counsel for the Respondents filed a Motion to Withdraw from the
19 proceeding and represented that the Respondents had been advised of the upcoming hearing on the
20 allegations in the First Amended Notice. Counsel for Respondents also included an Arizona
21 address for Giuffrida and Mrs. Giuffrida.

22 Now, on September 22, 2010, three days before the hearing, only Giuffrida requested a
23 continuance for six months. Giuffrida based his motion on Jeff Proper's withdrawal and a
24 personal issue. Giuffrida has been aware of this matter since January 2009, nearly two years ago.
25 Giuffrida has had counsel represent him for most of that time. Additionally, the Division would
26 still have to go to hearing with Mrs. Giuffrida and Energetics, Inc.

1 Therefore, based on the age of this case, the untimeliness of this request, and the fact that
2 the Division would still need to go to hearing with Mrs. Giuffrida and Energetics, Inc., the
3 Division respectfully requests ALJ Stern deny Giuffrida's request for a continuance.

4 RESPECTFULLY SUBMITTED this 23rd day of September, 2010.



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7 Aikaterine Vervilos
8 Attorney for the Securities Division of the
9 Arizona Corporation Commission

9 ORIGINAL and 8 copies of the foregoing
10 filed this 23rd day of September, 2010 with:

11 Docket Control
12 Arizona Corporation Commission
13 1200 W. Washington St.
14 Phoenix, AZ 85007

14 COPY of the foregoing hand-delivered
15 this 23rd day of September, 2010, to:

16 Administrative Law Judge Marc Stern
17 Arizona Corporation Commission
18 1200 W. Washington St.
19 Phoenix, AZ 85007

18 COPY of the foregoing mailed
19 this 23rd day of September, 2010 to:

20 Steven P. Giuffrida
21 P.O. Box 390
22 Port Jefferson Station, New York 11776

22 Michelle Giuffrida
23 13543 E. Bayview Drive
24 Scottsdale, Arizona 85259

24 Energetics, Inc.
25 5425 E. Bell Rd., Suite 101
26 Scottsdale, Arizona 85254

