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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

2010 DEC -2 P 2:28

DOCKET CONTROL

IN THE MATTER OF:

JOSEPH MACK and HELEN MARIE MACK,  
husband and wife, dba SECURE RETIREMENT  
SOLUTIONS,

MACK FINANCIAL GROUP, LLC, an Arizona  
limited liability company, and

DARIN WHITTINGTON, CRD #2569037, and  
GINA WHITTINGTON, husband and wife,

Respondents.

DOCKET NO. S-20768A-10-0463

Arizona Corporation Commission

DOCKETED

DEC 2 2010

DOCKETED BY [Signature]

PROCEDURAL ORDER

BY THE COMMISSION:

On November 15, 2010, the Securities Division (“Division”) of the Arizona Corporation Commission (“Commission”) filed a Notice of Opportunity for Hearing (“Notice”) against Joseph Mack and Helen Marie Mack, husband and wife; Joseph Mack dba Secure Retirement Solutions (“SRS”); Mack Financial Group, LLC (“MFG”); and Darin Whittington and Gina Whittington, husband and wife (collectively “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 investment contracts.

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

On November 23, 2010, Respondents, Joseph and Helen Mack, MFG, and Darin and Gina Whittington filed requests for hearing in this matter.

Accordingly, a pre-hearing conference should be scheduled.

IT IS THEREFORE ORDERED a **pre-hearing conference** shall be held on **January 6, 2011, at 9:30 a.m.**, at the Commission’s offices, 1200 West Washington Street, Room 100, Phoenix, Arizona.

1 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized  
2 Communications) is in effect and shall remain in effect until the Commission's Decision in this  
3 matter is final and non-appealable.

4 IT IS FURTHER ORDERED that all parties must comply with Rules 31 and 38 of the Rules  
5 of the Arizona Supreme Court and A.R.S. § 40-243 with respect to the practice of law and admission  
6 *pro hac vice*.

7 IT IS FURTHER ORDERED that withdrawal or representation must be made in compliance  
8 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the  
9 Rules of the Arizona Supreme Court). Representation before the Commission includes appearances  
10 at all hearings and procedural conferences, as well as all Open Meetings for which the matter is  
11 scheduled for discussion, unless counsel has previously been granted permission to withdraw by the  
12 Administrative Law Judge or the Commission.

13 IT IS FURTHER ORDERED that the Presiding Administrative Law Judge may rescind, alter,  
14 amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by  
15 ruling at hearing.

16 DATED this 2nd day of December, 2010.

  
MARC E. STERN  
ADMINISTRATIVE LAW JUDGE

21 Copies of the foregoing mailed/delivered  
22 this 2nd day of December, 2010 to:

23 James E. Brophy  
24 William B. McManus  
25 Kevin R. Heaphy  
26 RYLEY CARLOCK & APPLEWHITE, P.C.  
27 One North Central Avenue, Suite 1200  
28 Phoenix, AZ 85004

ARIZONA REPORTING SERVICE, INC.  
2200 North Central Avenue, Suite 502  
Phoenix, AZ 85004-1481

26 Matt Neubert, Director  
27 Securities Division  
28 ARIZONA CORPORATION COMMISSION  
1300 West Washington Street  
Phoenix, AZ 85007

By:   
Debra Broyles  
Secretary to Marc E. Stern