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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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Arizona Corporation Commission  
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2011 MAY 13 A 9:25

AZ CORP COMMISSION  
DOCKET CONTROL

MAY 13 2011

DOCKETED BY [Signature]

IN THE MATTER OF:

DOCKET NO. S-20790A-11-0104

DAVID SHOREY AND MARY JANE SHOREY,  
husband and wife,

WESTCAP ENERGY, INC., an Arizona  
corporation, dba Westcap Solar,

RESPONDENTS.

**PROCEDURAL ORDER**  
**(Schedules Status Conference)**

BY THE COMMISSION:

On March 8, 2011, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing ("Notice") against David Shorey and Mary Jane Shorey, husband and wife, and Westcap Energy, Inc., an Arizona corporation dba Westcap Solar ("WEI"), (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 stock. The spouse ("Respondent Spouse") of Respondent David Shorey was joined in the action pursuant to A.R.S. § 44-2031(C) solely for the purpose of determining the liability of the marital community.

On March 11, 2011, the Division filed an amended Notice.

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

On March 25, 2011, a request for hearing was filed on behalf of David and Mary Jane Shorey and WEI.

On April 7, 2011, by Procedural Order, a pre-hearing conference was scheduled on May 5, 2011.

On May 5, 2011, at the pre-hearing conference, the Division and Respondents appeared through counsel. The parties are discussing a possible resolution of the issues raised by the Notice, but in the interim agreed to a status conference being scheduled in approximately 60 days.

1           Accordingly, a status conference should be scheduled.

2           IT IS THEREFORE ORDERED that a **status conference** shall be held on **July 28, 2011, at**  
3 **2:00 p.m.**, at the Commission's offices, 1200 West Washington Street, Room 100, Phoenix, Arizona.

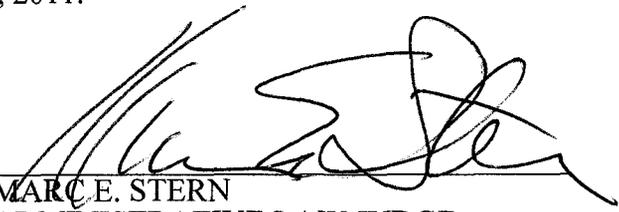
4           IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized  
5 Communications) applies to this proceeding as the matter is now set for public hearing.

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

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

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

17           DATED this 13<sup>TH</sup> day of May, 2011.

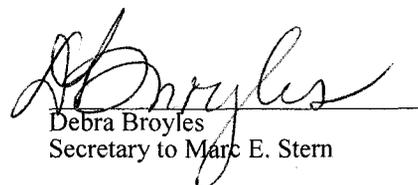
18  
19  
20   
21 MARC E. STERN  
ADMINISTRATIVE LAW JUDGE

22 Copies of the foregoing mailed/delivered  
23 this 13<sup>TH</sup> day of May, 2011 to:

24 Bruce R. Heurlin  
25 Devin M. Sherlock  
HURLIN SHERLOCK PANAH  
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Attorney for Respondents

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

By:   
Debra Broyles  
Secretary to Marc E. Stern