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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

GARY PIERCE - Chairman
BOB STUMP
SANDRA D. KENNEDY
PAUL NEWMAN
BRENDA BURNS

2011 JUN -7 A 10:56
AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

JUN 7 2011

DOCKETED BY [Signature]

IN THE MATTER OF:

KENT M. AXTELL, individually and doing
business as Sherlock Homes and Finding
Homes for Investors, and JANIS C. AXTELL,
husband and wife;

EXECUTIVE REAL ESTATE SOLUTIONS,
L.L.C., an Arizona limited liability company,

RESPONDENTS.

DOCKET NO. S-20803A-11-0187

PROCEDURAL ORDER
(Continues Pre-Hearing Conference)

BY THE COMMISSION:

On May 2, 2011, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing ("Notice") against Kent M. Axtell, individually and dba Sherlock Homes and Finding Homes for Investors, and Janis C. Axtell, husband and wife, and Executive Real Estate Solutions, L.L.C., an Arizona limited liability company ("Executive") (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 notes and investment contracts.

Respondent's spouse was named in the action solely for purposes of determining the liability of the marital community pursuant to A.R.S. § 44-2031(C).

The Respondents were duly served with copies of the Notice.

On May 20, 2011, a request for hearing was filed by Respondents.

On May 23, 2011, by Procedural Order, a pre-hearing conference was scheduled on June 20, 2011.

On June 2, 2011, counsel for the Respondents filed a Motion to Continue the pre-hearing conference stating that he would be unavailable on the scheduled date. Counsel requested that the

1 pre-hearing conference be scheduled after July 1, 2011. Subsequently, the Division filed a response
2 indicating that it has no objection to the request for a continuance.

3 Accordingly, the pre-hearing conference should be continued.

4 IT IS THEREFORE ORDERED that the **pre-hearing conference** shall be continued from June
5 20, 2011, to **July 7, 2011 at 11:00 a.m.**, at the Commission's offices, 1200 West Washington Street,
6 **Hearing Room No. 1**, Phoenix, Arizona.

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

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

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

18 IT IS FURTHER ORDERED that Respondent's request for discovery shall be taken under
19 advisement.

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

22 DATED this 7TH day of June, 2011.

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26 MARC E. STERN
27 ADMINISTRATIVE LAW JUDGE
28

1 Copies of the foregoing mailed/delivered
2 this 7th day of June, 2011 to:

3 Jeffrey M. Proper
4 JEFFREY M. PROPER, PLLC
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7 Attorneys for Respondents

8 Matt Neubert, Director
9 Securities Division
10 ARIZONA CORPORATION COMMISSION
11 1300 West Washington Street
12 Phoenix, AZ 85007

13 ARIZONA REPORTING SERVICE, INC.
14 2200 North Central Avenue, Suite 502
15 Phoenix, AZ 85004

16 By: 
17 Debra Broyles
18 Secretary to Marc E. Stern
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