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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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

Arizona Corporation Commission

DOCKETED

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AZ CORP COMMISSION
DOCKET CONTROL

DOCKETED BY [Signature]

IN THE MATTER OF:

DOCKET NO. S-20806A-11-0234

BEVERLY MICHELE WEST and ROSS WEST,
wife and husband,

RESPONDENTS.

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

BY THE COMMISSION:

On June 6, 2011, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing ("Notice") against Beverly Michele West and Ross West, wife and husband (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 June 29, 2011, a request for hearing was filed by the Respondents.

On July 1, 2011, by Procedural Order, a pre-hearing conference was scheduled on July 26, 2011.

On July 26, 2011, the Division and Respondents appeared with counsel. The Division and Respondents are discussing a possible settlement of the issues raised by the Notice. The parties agreed that a status conference should be scheduled in mid-September to determine a hearing date if a settlement cannot be reached.

Accordingly, a status conference should be scheduled.

IT IS THEREFORE ORDERED that a **status conference** shall be held on **September 14, 2011, at 9:30 a.m.**, at the Commission's offices, 1200 West Washington Street, **Room 100**, Phoenix, Arizona.

IT IS FURTHER ORDERED that if a settlement is concluded between the parties, the

1 Division shall file a Motion to Vacate the status conference.

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

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

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

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

15 DATED this 26TH day of July, 2011.

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18 
19 MARC E. STERN
ADMINISTRATIVE LAW JUDGE

20 Copies of the foregoing mailed/delivered
21 this 26th day of July, 2011 to:

22 Hubert E. Kelly
23 KELLY & KELLY, P.C.
24 6900 East Camelback Road, Suite A-39
Scottsdale, AZ 85251
Attorney for Respondents

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25 Matt Neubert, Director
26 Securities Division
27 ARIZONA CORPORATION COMMISSION
1300 West Washington Street
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By: 
Debra Broyles
Secretary to Marc E. Stern