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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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

2011 AUG 25 A 11: 32
 AZ CORP COMMISSION
 DOCKET CONTROL

Arizona Corporation Commission
DOCKETED

AUG 25 2011

DOCKETED BY: *[Signature]*

IN THE MATTER OF:

FRED OTTO BOHN and MARSHA BOHN,
Husband and Wife,

CAPITAL OIL & GAS, LIMITED (a.k.a.
"CAPITAL OIL & GAS, LTD, " f.k.a. OMNI
PETROLEUM LIMITED"), a dissolved United
Kingdom corporation , and a British Virgin
Islands company,

Respondents.

DOCKET NO. S-20796A-11-0152

PROCEDURAL ORDER
(Continues Date of Document Exchange)

BY THE COMMISSION:

On April 6, 2011, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing ("Notice") against the following individuals and entities: Fred Bohn and Marsha Bohn, husband and wife; Capital Oil & Gas Limited (aka "Capital Oil & Gas Ltd" fka "Omni Petroleum Limited") ("COG") (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 and notes. Respondent spouse, Marsha Bohn, was joined in the action pursuant to A.R.S. § 44-2031(C) for the purpose of determining the liability of the marital community.

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

On April 15, 2011, a request for hearing in this matter was filed on behalf of Respondents, Fred Bohn, Marsha Bohn and COG.

On April 19, 2011, by Procedural Order, a pre-hearing conference was scheduled on May 12, 2011.

On May 10, 2011, counsel for the Respondents filed a Motion to Continue Pre-hearing

1 Conference ("Motion") due to a scheduling conflict. The Motion stated that the Division did not
2 oppose the Respondents' Motion.

3 On May 12, 2011, by Procedural Order, Respondents' Motion was granted and the pre-
4 hearing conference continued to June 14, 2011.

5 On June 14, 2011, at the pre-hearing conference, the Division and Respondents appeared
6 through counsel. The Division's counsel requested that a hearing be scheduled while the parties
7 attempt to settle the matter. After a brief recess, the parties agreed that a hearing be scheduled to
8 commence on October 3, 2011, and with an exchange of documentation approximately one month
9 earlier.

10 On June 20, 2011, by Procedural Order, a hearing was scheduled to commence on October 3,
11 2011, and an exchange of copies of Witness Lists and Exhibits was take place by August 26, 2011.

12 On August 24, 2011, the Division filed a Motion to Continue Date for the exchange of copies
13 of the parties Witness Lists and copies of their Exhibits from August 26, 2011, until September 16,
14 2011, because the parties have been engaged in ongoing settlement negotiations and are attempting to
15 conserve their resources. The Division indicated that Respondents have no objections to this request.

16 Accordingly, the Division's Motion to Continue Date for the exchange of documentation
17 should be granted.

18 IT IS THEREFORE ORDERED a **hearing** shall be held on **October 3, 2011, at 10:00 a.m.**,
19 at the Commission's offices, 1200 West Washington Street, Room 100, Phoenix, Arizona, as
20 previously ordered.

21 IT IS FURTHER ORDERED that the parties shall also set aside **October 4, 5, 6 and 7, 2011,**
22 **for additional days of hearing**, if necessary.

23 IT IS FURTHER ORDERED that that the **Division and Respondents shall have an**
24 **extension of time to exchange copies of their Witness Lists and copies of the Exhibits from**
25 **August 26, 2011, until September 16, 2011, with courtesy copies provided to the presiding**
26 **Administrative Law Judge.**

27 IT IS FURTHER ORDERED that **if the case is resolved by proposed Consent Order prior**
28 **to the hearing, the Division shall file a Motion to Vacate the Proceeding.**

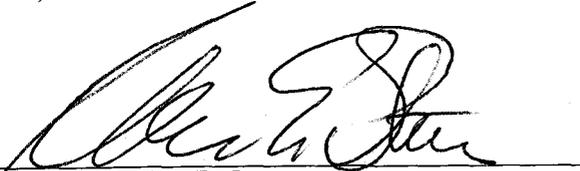
1 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized
2 Communications) is in effect and shall remain in effect until the Commission's Decision in this
3 matter is final and non-appealable.

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 25th day of August, 2011.


MARC E. STERN
ADMINISTRATIVE LAW JUDGE

21 Copies of the foregoing mailed/delivered
22 this 25th day of August, 2011 to:

23 James O. Ehinger
24 JENNINGS, STROUSS & SALMON, P.L.C.
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26 Phoenix, AZ 85004-2554
27 Attorney for Respondents

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26 Matt Neubert, Director
27 Securities Division
28 ARIZONA CORPORATION COMMISSION
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Phoenix, AZ 85007

By: 
Debra Broyles
Secretary to Marc E. Stern