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ORIGINAL

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

Arizona Corporation Commission

AZ CORP COMMISSION  
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JM

In the matter of:

DOCKET NO. S-20845A-12-0134

CRYSTAL PISTOL RESOURCES, LLC,  
a Nevada limited liability company;

CRYSTAL PISTOL MANAGEMENT,  
LLC, a Nevada limited liability company;

LIBERTY BELL RESOURCES I, LLC,  
a Nevada limited liability company;

PETER POCKLINGTON, a married man;

and

JOHN M. MCNEIL, an unmarried man,

Respondents.

**(FIFTH)**  
**PROCEDURAL ORDER**  
**(Vacates Hearing and**  
**Schedules Procedural Conference)**

BY THE COMMISSION:

On April 5, 2012, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing ("Notice") against Crystal Pistol Resources, LLC, a Nevada limited liability company ("CPR"), Crystal Pistol Management, LLC, a Nevada limited liability company ("CPM"), Liberty Bell Resources I, LLC, a Nevada limited liability company ("LBR"), Peter Pocklington, a married man and John M. McNeil, an unmarried man, (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 membership interests or investment contracts.

The Respondents were duly served with copies of the Notice.

On April 23 and 24, 2012, Respondent Pocklington and Respondents CPR, CPM, LBR and McNeil, respectively, filed requests for hearing in this matter.

On April 25, 2012, by Procedural Order, a pre-hearing conference was scheduled on May 15,

1 On May 11, 2012, the Division and the Respondents filed a Stipulation to extend the date for  
2 the filing of Respondents' answer to the Notice by 60 days from May 11, 2012, to July 10, 2012.

3 On May 15, 2012, the Division and Respondents appeared through counsel who indicated that  
4 they are discussing a possible settlement of the proceeding. In the event the matter cannot be  
5 resolved, the Division requested that a hearing be scheduled in the fall. Counsel for the parties  
6 indicated that the matter would require more than one week of hearing. Subsequently, a hearing was  
7 scheduled on October 22, 2012.

8 On September 6, 2012, the Division and Respondents filed a Motion and Stipulation to extend  
9 the deadline for the exchange of copies of their Witness Lists and Exhibits.

10 On September 11, 2012, by Procedural Order, leave was granted for the extension of the  
11 deadline for the exchange of copies of the Witness Lists and Exhibits as agreed between the parties.

12 On September 9, 2012, Fennemore Craig, P.C., by Attorney Jay L. Shapiro, filed separate  
13 Requests for Order Authorizing Substitution of Counsel for Respondents Peter Pocklington and John  
14 M. McNeil. Attached to the aforementioned requests were the signed consents and authorizations of  
15 both named Respondents. No other requests were made in the filings.

16 On September 21, 2012, the Division filed a response indicating that that the Division has no  
17 objections to the substitution of counsel provided that (1) Respondents Pocklington and McNeil  
18 acknowledge under oath that they are aware of the possible conflicts that may arise in connection  
19 with Mr. Shapiro representing both of them in this proceeding and, despite same, they choose to be  
20 represented by Mr. Shapiro; and (2) the substitution of counsel is not the basis of a continuance of the  
21 October 22, 2012 hearing date.

22 On September 24, 2012, by Procedural Order, the requests to substitute counsel were granted.

23 On October 12, 2012, the Respondents and the Division filed what was captioned as  
24 "Stipulation for Continuance of Hearing Dates" ("Stipulation") of the hearing scheduled to  
25 commence on October 22, 2012, stating that issues had arisen related to family medical problems  
26 involving counsel for CPR, CPM and LBR and also involving surgery for one of the Respondents'  
27 witnesses. Further, Respondents will require additional time to evaluate the disclosure of an  
28 additional expert witness by the Division. The parties suggested that a procedural conference be

1 scheduled on or after November 12, 2012, to discuss the rescheduling of the hearing.

2 Accordingly, the hearing should be vacated and a procedural conference scheduled.

3 IT IS THEREFORE ORDERED the **hearing scheduled to commence on October 22, 2012,**  
4 **is hereby vacated.**

5 IT IS FURTHER ORDERED that a **procedural conference** shall be held on **November 19,**  
6 **2012, at 10:00 a.m.,** at the Commission's offices, 1200 West Washington Street, Hearing Room No.  
7 1, Phoenix, Arizona.

8 IT IS THEREFORE ORDERED that that **if the parties reach a resolution of the issues**  
9 **raised in the Notice prior to the hearing, the Division shall file a Motion to Vacate the**  
10 **proceeding.**

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

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

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

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

4 DATED this 15<sup>TH</sup> day of October, 2012.

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8   
9 MARC E. STERN  
ADMINISTRATIVE LAW JUDGE

10 Copies of the foregoing mailed/delivered  
11 this 15<sup>th</sup> day of October, 2012 to:

12 Jay L. Shapiro  
13 FENNEMORE CRAIG, P.C.  
14 3003 North Central Avenue, Suite 2600  
Phoenix, AZ 85012  
Attorneys for Respondents Peter Pocklington  
and John M. McNeil

15 Keith Beauchamp  
16 COPPERSMITH SCHERMER & BROCKELMAN PLC  
17 2800 North Central Avenue, Suite 1200  
18 Phoenix, AZ 85004  
Attorneys for Respondents Crystal Pistol Resources, LLC,  
Crystal Pistol Management, LLC, and Liberty Bell Resources I, LLC

19 Matt Neubert, Director  
20 Securities Division  
ARIZONA CORPORATION COMMISSION  
1300 West Washington Street  
Phoenix, AZ 85007

21 ARIZONA REPORTING SERVICE, INC.  
22 2200 North Central Avenue, Suite 502  
23 Phoenix, AZ 85004

24 By:   
25 Debra Broyles  
26 Secretary to Marc E. Stern  
27  
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