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BEFORE THE ARIZONA CORPORATION COMMISSION RECEIVED

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COMMISSIONERS

BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH

2013 MAR 21 A 10:49

ARIZONA CORPORATION COMMISSION
SECRET CONTROL

In the matter of:

TRI-CORE COMPANIES, LLC an Arizona limited liability company,
TRI-CORE MEXICO LAND DEVELOPMENT, LLC, an Arizona limited liability company,
TRI-CORE BUSINESS DEVELOPMENT, LLC, an Arizona limited liability company,
ERC COMPACTORS, LLC, an Arizona limited liability company,
ERC INVESTMENTS, LLC, an Arizona limited liability company,
C&D CONSTRUCTION SERVICES, INC. a Nevada corporation,
PANGAEA INVESTMENT GROUP, LLC, an Arizona limited liability company, d/b/a Arizona Investment Center,
JASON TODD MOGLER, an Arizona resident,
BRIAN N. BUCKLEY and CHERYL BARRETT BUCKLEY, husband and wife,
CASIMER POLANCHEK, an Arizona resident,
NICOLE KORDOSKY, an Arizona resident,
Respondents.

DOCKET NO. S-20867A-12-0459

Arizona Corporation Commission
DOCKETED

MAR 21 2013

DOCKETED BY [Signature]

FOURTH
PROCEDURAL ORDER
(Schedules Hearing)

BY THE COMMISSION:

On November 8, 2012, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing ("Notice") against Tri-Core Companies, LLC, ("Tri-Core"); Tri-Core Mexico Land Development, LLC ("TC Mexico"); Tri-Core Business Development, LLC ("TC Business"); ERC Compactors, LLC ("ERC Compactors"); ERC

1 Investments, LLC (“ERC Investments”); C&D Construction Services, Inc. (“C&D”); Pangaea
2 Investment Group, LLC (“Pangaea”), d/b/a Arizona Investment Center (“AIC”); Jason Todd Mogler;
3 Brian N. Buckley and Cheryl Barrett Buckley, husband and wife; Cassimere Panache; and Nicole
4 Kordosky (collectively “Respondents”). In the Notice, the Division alleged multiple violations of the
5 Arizona Securities Act (“Act”) in connection with the offer and sale of securities in the form of notes.

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

7 On November 26, 2012, a request for hearing in this matter was filed on behalf of C&D.

8 On November 30, 2012, Respondents Tri-Core, TC Business, ERC Compactors, ERC
9 Investments, Jason Todd Mogler, Brian N. Buckley and Cheryl Barrett Buckley filed requests for
10 hearing.

11 On December 10, 2012, by Procedural Order, a pre-hearing conference was scheduled on
12 January 15, 2013.

13 On January 15, 2013, at the pre-hearing conference, Respondents Tri-Core, TC Business,
14 ERC Compactors, ERC Investments, and Jason Mogler appeared through counsel. Respondents
15 Brian and Cheryl Buckley appeared on their own behalf. The Division also appeared through
16 counsel. Although the parties who requested a hearing were discussing a possible resolution of the
17 proceeding, the Division requested a status conference be scheduled to determine if a hearing should
18 be scheduled in the event settlement did not occur.

19 On January 16, 2013, by Procedural Order, a status conference was scheduled on March 20,
20 2013.

21 On January 29, 2013, Respondent Nicole Kordosky filed a request for hearing.

22 On January 31, 2013, by Procedural Order, Respondent Nicole Kordosky’s name was added
23 to the service list and she was apprised of the status conference scheduled for March 20, 2013.

24 On March 20, 2013, at the status conference, the Division appeared through counsel,
25 Respondents Tri-Core, TC Business, ERC Compactors, ERC Investments and Jason Mogler appeared
26 through counsel, Respondent C&D appeared through counsel, and Respondents Brian Buckley and
27 Nicole Kordosky appeared on their own behalf. Mrs. Buckley did not appear. The Division’s
28 counsel indicated that while discussions to resolve the issues raised by the Notice are ongoing, a

1 hearing should be scheduled in the fall to avoid scheduling conflicts in a lengthy proceeding because
2 there will be approximately 12 Division witnesses and voluminous exhibits. Additionally, one of the
3 attorneys who represents the Respondents may call a like number of witnesses.

4 Accordingly, a hearing should be scheduled.

5 IT IS THEREFORE ORDERED that a **hearing** shall be held on **October 7, 2013, at 10:00**
6 **a.m.**, at the Commission's offices, 1200 West Washington Street, Hearing Room No. 2, Phoenix,
7 Arizona.

8 IT IS FURTHER ORDERED that the parties shall reserve **October 8, 9, 10, 15, 16, 17, 21,**
9 **22, 23, 24, 28, 29, 30 and 31, and November 4, 5, 6, and 7, 2013, for additional days of hearing,**
10 if necessary.

11 IT IS FURTHER ORDERED that the **parties shall exchange copies of their Exhibits and**
12 **their Witness Lists by August 12, 2013,** with courtesy copies provided to the presiding
13 Administrative Law Judge.

14 IT IS FURTHER ORDERED that **if the parties reach a resolution of the issues raised in**
15 **the Notice prior to the hearing, the Division shall file a Motion to Vacate the proceeding.**

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

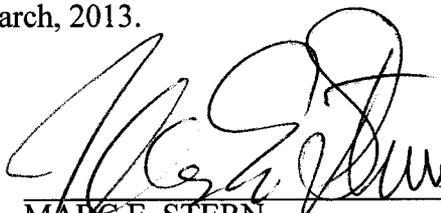
19 IT IS FURTHER ORDERED that all parties must comply with Rules 31 and 38 of the Rules
20 of the Arizona Supreme Court and A.R.S. § 40-243 with respect to the practice of law and admission
21 *pro hac vice*.

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

28 IT IS FURTHER ORDERED that the Presiding Administrative Law Judge may rescind, alter,

1 amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by
2 ruling at hearing.

3 DATED this 21st day of March, 2013.



MARC E. STERN
ADMINISTRATIVE LAW JUDGE

8 Copies of the foregoing mailed/delivered
9 this 21st day of March, 2013 to:

10 Dale B. Rycraft, Jr.
11 THE RYCRAFT LAW FIRM PLLC
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14 Attorney for C&D Construction Services, Inc.

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20 Tri-Core Business Development, LLC,
21 ERC Compactors, LLC, ERC Investments, LLC
22 and Jason Todd Mogler

23 Brian N. Buckley
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25 4259 East Bruce Court
26 Gilbert, AZ 85234

27 Nicole Kordosky
28 8880 East Chaparral Road, Suite 270
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By: 
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