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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

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Arizona Corporation Commission

DOCKETED

APR 03 2013

CORP COMMISSION DOCKET CONTROL

DOCKETED BY [Signature]

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.

SEVENTH
PROCEDURAL ORDER

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, 2012.

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 had no
17 objections to the substitution of counsel provided that (1) Respondents Pocklington and McNeil
18 acknowledged under oath that they were 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 chose to be
20 represented by Mr. Shapiro; and (2) the substitution of counsel was not the basis of a continuance of
21 the 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" of the hearing scheduled to commence on October
25 22, 2012, stating that issues had arisen related to family medical problems involving counsel for
26 CPR, CPM and LBR and also involving surgery for one of the Respondents' witnesses. Further,
27 Respondents stated they would require additional time to evaluate the disclosure of an additional
28 expert witness by the Division. The parties suggested that a procedural conference be scheduled on

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

2 On October 15, 2012, by Procedural Order, the hearing was vacated and a procedural
3 conference scheduled on November 19, 2012.

4 On November 19, 2012, at the procedural conference, the Division and Respondents appeared
5 through counsel to discuss the rescheduling of the hearing. The parties agreed that approximately 12
6 witnesses would be called to testify and that due to scheduling conflicts between the expert witnesses
7 the parties are planning to call to testify, a hearing should be scheduled in May 2013.

8 On November 21, 2012, a Procedural Order was issued scheduling the hearing to commence
9 on May 15, 2013.

10 On March 28, 2013, the Division filed a Stipulated Motion to Continue Deadline for
11 Exchange of Witness Lists and Exhibits ("Stipulated Motion"). In its Motion, the Division requested
12 that the deadline to exchange amended witness lists and exhibits be continued until April 12, 2013.

13 Accordingly, the Stipulated Motion should be granted.

14 IT IS THEREFORE ORDERED the Stipulated Motion is granted, and **parties shall**
15 **exchange amended Witness Lists and Exhibits by April 12, 2013**, with courtesy copies to the
16 presiding Administrative Law Judge.

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

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

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

25 IT IS FURTHER ORDERED that withdrawal or representation must be made in compliance
26 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the
27 Rules of the Arizona Supreme Court). Representation before the Commission includes appearances
28 at all hearings and procedural conferences, as well as all Open Meetings for which the matter is

1 scheduled for discussion, unless counsel has previously been granted permission to withdraw by the
2 Administrative Law Judge or the Commission.

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

6 DATED this 3rd day of April, 2013.

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11 MARC E. STERN
ADMINISTRATIVE LAW JUDGE

12 Copies of the foregoing mailed/delivered
13 this 3rd day of April 2013, to:

14 Jay L. Shapiro
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and John M. McNeil

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23
24 By:


25 Debbi Person
26 Assistant to Marc E. Stern
27
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