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BEFORE THE ARIZONA CORPORATION COMMISSION

2013 AUG -9 A 8:36

Arizona Corporation Commission

COMMISSIONERS

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

ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

DOCKETED

AUG - 9 2013

DOCKETED BY [Signature]

In the matter of:
OUT OF THE BLUE PROCESSORS, LLC,
an Arizona limited liability company, d/b/a
Out of the Blue Processors II, LLC,
MARK STEINER (CRD# 1834102) and
SHELLY STEINER, husband and wife,
Respondents.
DOCKET NO. S-20837A-12-0061
JOINT MOTION FOR CONTINUANCE
OF DEADLINE FOR EXCHANGING
WITNESS AND EXHIBIT LISTS AND
FOR CONTINUANCE OF HEARING;
AND PROPOSAL FOR SETTING
STATUS CONFERENCE
(Assigned to Hon. Marc E. Stern)

The above-styled parties move to continue the deadline by which the parties are to exchange witness and exhibit lists and the hearing set in this matter. The parties also propose that a status conference be held at 10:00 a.m. on September 16, 2013, to establish new dates for the deadline and hearing.

On a showing of good cause, a matter may be continued "for submission of further or additional evidence or for any other proper means."¹

Based on new evidence recently obtained by the Securities Division ("Division") of the Arizona Corporation Commission, the Division seeks to assert against the Respondents additional factual allegations and an additional claim. Toward that end, the Division seeks to amend its Temporary Order to Cease and Desist and Notice of Opportunity for Hearing ("Original Notice").² If the Division is permitted to amend its Original Notice to incorporate these additions, then Respondents will need time to prepare a response. At present, however, the Respondents would not have sufficient time to do so because the deadline for exchanging witness

¹ A.A.C. R14-3-109(Q).
² See Motion for Leave to Amend Notice of Opportunity for Hearing, filed contemporaneously herewith.

1 and exhibit lists is August 9, 2013,³ and the evidentiary hearing on this matter is scheduled for
2 September 16 - 20, 2013.⁴ To permit Respondents sufficient time to address the Division's
3 proposed amended notice, the deadline for exchanging witness and exhibit lists and the
4 evidentiary hearing must be continued.

5 The need for sufficient time to address the Division's proposed amended notice is good
6 cause for continuing the deadline for exchanging witness and exhibit lists and the evidentiary
7 hearing. For this reason, this motion should be granted.

8 The parties propose meeting for a status conference at 10:00 a.m. on September 16,
9 2013,⁵ at which time each side intends to recommend new dates for the deadline for exchanging
10 witness and exhibit lists and for the evidentiary hearing.

11
12 RESPECTFULLY SUBMITTED August 9, 2013.

13 ARIZONA CORPORATION COMMISSION

14
15 By: Stephen J. Womack
16 Stephen J. Womack, Esq.
17 Securities Division
18 1300 W. Jefferson St., Third Floor
19 Phoenix, AZ 85007

20 ARTHUR P. ALLSWORTH, ESQ.

21 Stephen J. Womack
22 By permission
23 7501 N. 16th St., Suite 200
24 Phoenix AZ 85020-4677

25 *Attorney for Out of the Blue Processors, LLC, d/b/a*
26 *Out of the Blue Processors II, LLC, Mark Steiner and*
Shelly Steiner

³ See Joint Stipulation to Extend Deadline for Exchanging Witness Lists and Exhibit Lists, filed July 30, 2013.

⁴ See Ninth Procedural Order, filed February 4, 2013.

⁵ The parties are and the Court is currently available for a status conference on this date because it was established through the Ninth Procedural Order as the date on which the evidentiary hearing was to begin.

1 ORIGINAL AND 13 COPIES of the foregoing filed August 9, 2013, with:

2 Docket Control
3 Arizona Corporation Commission
4 1200 W. Washington St.
Phoenix, AZ 85007

5 COPY of the foregoing hand-delivered August 9, 2013, to:

6 Hon. Marc E. Stern
7 Administrative Law Judge
8 Arizona Corporation Commission/Hearing Division
1200 W. Washington St.
Phoenix, AZ 85007

9 COPY of the foregoing mailed August 9, 2013, to:

10 Arthur P. Allsworth
11 7501 North 16th Street Suite 200
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13 *Attorney for Respondents*

14 By: *Karen Houle*
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