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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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AZ CORP COMMISSION  
DOCKET CONTROL

Arizona Corporation Commission

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In the matter of:

JONATHON JAMES MURRAY AND WENDY  
LYNN MURRAY, husband and wife,

Respondents.

DOCKET NO. S-20883A-13-0112

**THIRD  
PROCEDURAL ORDER**  
**(Authorizes Telephonic Testimony)**

BY THE COMMISSION:

On April 23, 2013, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing ("Notice") against Jonathon James Murray and Wendy Lynn Murray, husband and wife (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 notes.

Respondent, Wendy Lynn Murray, was joined in this action pursuant to A.R.S. § 44-2031(C) solely for the purpose of determining the liability of the marital community.

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

On June 24, 2013, a request for hearing in this matter was filed by the Respondents.

On June 25, 2013, by Procedural Order, a pre-hearing conference was scheduled on July 16, 2013.

On July 16, 2013, at the pre-hearing conference, the Division appeared through counsel and Respondents appeared on their own behalf. Counsel for the Division requested that a hearing be scheduled for approximately one week at the beginning of January, 2014. Respondents had no objections to this request. The Division's counsel further indicated that Respondents had agreed to file their Answer to the Notice by July 31, 2013.

On July 18, 2013, by Procedural Order, a hearing was scheduled to commence on January 6,

1 2014.

2 On December 5, 2013, the Division filed a Motion to Allow Telephonic Testimony  
3 (“Motion”). There have been no objections filed to the Motion.

4 Accordingly, the Motion should be granted.

5 IT IS THEREFORE ORDERED that telephonic testimony shall be permitted in the  
6 proceeding.

7 IT IS FURTHER ORDERED that the **hearing shall be held on January 6, 2014, at 10:00**  
8 **a.m., at the Commission’s offices, 1200 West Washington Street, Hearing Room No. 1, Phoenix,**  
9 **Arizona,** as previously ordered.

10 **IT IS FURTHER ORDERED that the parties shall also set aside January 7, 8, 9, and 10,**  
11 **2014, for additional days of hearing, if necessary.**

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

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

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

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

26 ...

27 ...

28 ...

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 18<sup>TH</sup> day of December, 2013.

5  
6  
7   
8 MARC E. STERN  
ADMINISTRATIVE LAW JUDGE

9 Copies of the foregoing mailed/delivered  
10 this 19<sup>th</sup> day of December, 2013 to:

11 Mr. Jonathan Murray  
12 10632 N. Scottsdale Road, #673  
13 Scottsdale, Arizona 85254

14 Ms. Wendy Murray  
15 10632 N. Scottsdale Road, #673  
16 Scottsdale, Arizona 85254

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

22 ARIZONA REPORTING SERVICE, INC.  
23 2200 North Central Avenue, Suite 502  
24 Phoenix, AZ 85004-1481

25 By: R Unquera  
26 Rebecca Unquera  
27 Assistant to Marc E. Stern  
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