

ORIGINAL



0000153041

BEFORE THE ARIZONA CORPORATION COMMISSION

AZ CORP COMMISSION
DOCKET CONTROL

COMMISSIONERS Arizona Corporation Commission

DOCKETED APR 28 2014 PM 10 06

BOB STUMP, Chairman
GARY PIERCE APR 28 2014
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH

DOCKETED BY

<p>In the matter of:</p> <p>OUT OF THE BLUE PROCESSORS, LLC, an Arizona limited liability company, d/b/a Out of the Blue Processors II, LLC,</p> <p>MARK STEINER (CRD# 1834102) and SHELLY STEINER, husband and wife,</p> <p style="text-align: center;">Respondents.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>DOCKET NO. S-20837A-12-0061</p> <p>JOINT FACT STIPULATIONS</p> <p>(Assigned to Hon. Mark Preny)</p>
---	--	---

The Securities Division ("Division") of the Arizona Corporation Commission ("Commission") and respondents Out of the Blue Processors, LLC, directly and doing business as Out of the Blue Processors II, LLC, Mark Steiner, and Shelly Steiner, by and through their respective legal counsel, stipulate to the admissibility and require no proof of the following facts for purposes of the Evidentiary Hearing to be conducted herein:

1. At all times relevant, Mark Steiner ("STEINER"), CRD# 1834102, has been an Arizona resident.
2. Out of the Blue Processors, LLC is an Arizona limited liability company organized on December 18, 2000.
3. Out of the Blue Processors, LLC also ^{uses the name} ~~conducts business~~ as "Out of the Blue Processors II, LLC," an unorganized business. Out of the Blue Processors, LLC, directly and ^{using the name} ~~doing business~~ as Out of the Blue Processors II, LLC, is referred to below as "BLUE."
4. STEINER is a managing member of BLUE.

1 5. STEINER has not been a registered securities salesman with the Commission since
2 April 13, 2005.

3 ~~6. About January 19, 2012, the Arizona resident received an email from STEINER.~~ S
4 ~~Attached to that email was the Operating Agreement of Out of the Blue Processors II, LLC, dated~~ W
5 ~~May 1, 2011. Also, the email included wiring instructions for a BLUE bank account.~~

6 7. Lunsford is an Arizona limited liability company organized on July 30, 2010.

7 8. STEINER is a managing member of Lunsford.

8 9. At all relevant times, Respondents were not registered as dealers or salesmen with
9 the Commission.

10 10. The interests offered and sold through the “Operating Agreement of Out of the Blue
11 Processors, LLC” dated June 1, 2008, and the Operating Agreement of Out of the Blue Processors
12 II, LLC, dated May 1, 2011, are not registered with the Commission.

13 11. From about 2008, Respondents have been offering or selling securities in the form of
14 investment contracts, within or from Arizona.

15 12. The securities referred to above are not registered pursuant to Articles 6 or 7 of the
16 Securities Act.

17 13. Respondents are offering or selling securities within or from Arizona while not
18 registered as dealers or salesmen pursuant to Article 9 of the Securities Act.

19 ...
20 ...
21 ...
22 ...
23 ...

24
25
26

1 RESPECTFULLY SUBMITTED April 28, 2014.

2 ARIZONA CORPORATION COMMISSION

3
4 By: 
5 Stephen J. Womack, Esq.
6 Securities Division
7 1300 W. Jefferson St., Third Floor
8 Phoenix, AZ 85007

9 ARTHUR P. ALLSWORTH, ESQ.

10 
11 1001 N. Central Ave., Suite 701
12 Phoenix AZ 85004-1948

13 *Attorney for Out of the Blue Processors, LLC, d/b/a*
14 *Out of the Blue Processors II, LLC, Mark Steiner and*
15 *Shelly Steiner*

16 MARK STEINER

17 
18
19
20
21
22
23
24
25
26

1 ORIGINAL AND 8 COPIES of the foregoing filed April 28, 2014, with:

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

5 COPY of the foregoing hand-delivered April 28, 2014, to:

6 Hon. Mark Preny
7 Administrative Law Judge
8 Arizona Corporation Commission/Hearing Division
9 1200 W. Washington St.
Phoenix, AZ 85007

10 COPY of the foregoing mailed April 28, 2014, to:

11 Arthur P. Allsworth, Esq.
12 1001 N. Central Ave., Suite 701
Phoenix AZ 85004-1948

13 *Attorney for Respondents*

14 By: 