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BEFORE THE ARIZONA CORPORAT

IN THE MATTER OF:)
ANTHONY RAY STACY (CRD#1772484),)
Respondent.)

DOCKET NO.
S-20909A-14-0226
PREHEARING
CONFERENCE

At: Phoenix, Arizona
Date: August 20, 2014
Filed: **SEP - 3 2014**

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1 BE IT REMEMBERED that the above-entitled and
2 numbered matter came on regularly to be heard before the
3 Arizona Corporation Commission, in Hearing Room 1 of
4 said Commission, 1200 West Washington Street, Phoenix,
5 Arizona, commencing at 10:00 a.m., on the 20th of
6 August, 2014.

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BEFORE: MARK PRENY, Administrative Law Judge

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APPEARANCES:

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11 For the Arizona Corporation Commission Securities
12 Division:

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Mr. Steven Briggs
Staff Attorney, Securities Division
1200 West Washington Street
Phoenix, Arizona 85007

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For the Respondent:

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Mr. Anthony Ray Stacy, Pro Per
20865 North 90th Place, Suite 125
Scottsdale, Arizona 85255

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1 ALJ PRENY: This is the time set for the
2 prehearing conference in the matter of Anthony Ray
3 Stacy. This is Docket No. S-20909A-14-0226.

4 I'm Administrative Law Judge Mark Preny. I'll
5 be presiding over today's matter.

6 We'll begin by taking appearances for the record
7 starting with counsel for the Securities Division.

8 MR. BRIGGS: Your Honor, Steven Briggs for the
9 Division.

10 ALJ PRENY: Good morning.

11 And for the respondent?

12 MR. STACY: Good morning. Tony Stacy, Anthony
13 Stacy.

14 ALJ PRENY: Good morning. All right.

15 I guess we will begin with Division counsel.

16 Mr. Briggs, where do things stand at present?
17 Have you had an opportunity to speak with the respondent
18 about this matter?

19 MR. BRIGGS: Yes, Your Honor. I spoke with
20 respondent this morning. His position is he's prepared
21 to schedule a hearing; however, he informed me that he
22 would like some time in the meantime to acquire counsel.
23 He believes he will be able to do that in fairly short
24 order.

25 ALJ PRENY: Mr. Stacy, does that summarize what

1 your discussion was?

2 MR. STACY: It does, yes, sir.

3 ALJ PRENY: All right. I guess we can consider
4 about when we might want to schedule the hearing.

5 Mr. Briggs, do you have an idea, approximately,
6 how long a hearing might take? How long your case will
7 be?

8 MR. BRIGGS: Your Honor, I anticipate only
9 having the investigator for background, and then solely
10 one witness, who would be the lender. I think it would
11 take only one morning, and then possibly spilling over
12 to the afternoon. So just one day for the Division.

13 ALJ PRENY: Is there a green light on yours?

14 MR. STACY: My green light is on, yes, sir.

15 ALJ PRENY: Okay. Thank you. Sorry about that.

16 Mr. Stacy, about how much time do you think
17 you're going to need for counsel?

18 MR. STACY: I think I can hire counsel within
19 the next 30 days. I have already begun the process.

20 ALJ PRENY: Okay. Also, I did notice one thing
21 I wanted to bring to Division's attention.

22 I was noticing what I think may be an error in
23 the text of the notice of opportunity regarding
24 paragraph 13. I think there might be a typographical
25 error. Line 25, there's a reference to A.A.C.

1 R14-4-203.

2 MR. BRIGGS: Sorry. Just one minute, Your
3 Honor.

4 Paragraph 13?

5 ALJ PRENY: Line No. 25. I think that, I think
6 you might have meant 14-6. I think 14-4 may be a
7 repealed section.

8 MR. BRIGGS: Okay, Your Honor. Thank you.

9 ALJ PRENY: I don't know if you want to file a
10 written amendment. It is somewhat, you know, germane
11 for due process reasons, I would imagine, for an
12 accurate citation. And I'm guessing as to what the
13 correct citation might be.

14 Mr. Briggs, would you care to, care to respond
15 to my concerns?

16 MR. BRIGGS: Yes. I agree. I'll amend that.

17 ALJ PRENY: So approximately how soon might we
18 expect a written amendment?

19 MR. BRIGGS: I'll have that filed by tomorrow,
20 Your Honor.

21 ALJ PRENY: Okay. Thank you.

22 And, Mr. Stacy, I don't know if that would have
23 much effect on your answer, but certainly you can file
24 an amended answer to any changes the Division makes.

25 What type of time frame would you want for that?

1 MR. STACY: I can do that within a day as well,
2 after being given a copy of his filing.

3 ALJ PRENY: Okay. So let's make sure you have,
4 receive everything in a timely manner. Today being
5 Wednesday, I'll just allow for, I guess I can allow till
6 Monday for you, make sure you receive everything.

7 MR. STACY: That would be great. Thank you.

8 ALJ PRENY: Mr. Briggs, is that acceptable?

9 MR. BRIGGS: Yes.

10 ALJ PRENY: Okay. Should we go ahead and set
11 a hearing date today, then, and, if so, how far how out
12 do you want to go, Mr. Briggs?

13 MR. BRIGGS: Yes. The Division would like to,
14 at your convenience, Your Honor.

15 ALJ PRENY: All right. Well, if we're giving
16 about a month for Mr. Stacy to obtain counsel, I assume,
17 Mr. Stacy --

18 MR. STACY: And preparation time, please.

19 ALJ PRENY: Yeah. Would some time in late
20 October be acceptable to the parties?

21 MR. STACY: It would be to me. We spoke of a
22 time frame this morning and that's acceptable to me.

23 ALJ PRENY: What time frame, Mr. Briggs?

24 MR. BRIGGS: My investigator is out mid October.
25 She is back the week of October 20th.

1 ALJ PRENY: Well, looks like October 21st might
2 be available. Would that day work for everyone?

3 MR. BRIGGS: Your Honor, I believe our paralegal
4 is in another hearing.

5 ALJ PRENY: I see the hearing.

6 MR. BRIGGS: What about the 28th, Your Honor?

7 ALJ PRENY: Well, that looks good for the --

8 MR. BRIGGS: I'm sorry, my investigator is out
9 on the 28th. The 29th everyone is free on my calendar.

10 ALJ PRENY: Mr. Stacy, October 29?

11 MR. STACY: October 29th is good for me as well.

12 ALJ PRENY: Are we thinking this could be done
13 in a day? Do we need more time?

14 MR. BRIGGS: Yes, Your Honor.

15 ALJ PRENY: Mr. Stacy, do you concur?

16 MR. STACY: I concur based on what I know right
17 now, yes, Your Honor.

18 ALJ PRENY: Okay. Well, I'm assuming when you
19 obtain counsel, if they think there's a problem with our
20 scheduling, they can certainly file something, and we'll
21 try to make whatever accommodations we need to.

22 Okay. For now we can go ahead and schedule a
23 hearing date of October 29th.

24 Are there any other, any other procedural issues
25 that we need to discuss today, Mr. Briggs?

1 MR. BRIGGS: No, Your Honor.

2 ALJ PRENY: Mr. Stacy?

3 MR. STACY: No, Your Honor.

4 ALJ PRENY: I just want to confirm, Mr. Stacy, I
5 know we had some issue with your mailing address. The
6 first address that we had on -- I think we went off of
7 your request for a hearing, and that was a Thompson Peak
8 Parkway address. That came back, returned
9 undeliverable. And then we sent another copy to the
10 same address that service had been performed on; that's
11 Canyon View Road. Then we noticed in the verified
12 answer there was a 90th Place address.

13 Which address should we be using for you, sir?

14 MR. STACY: Either the Canyon View or the 90th
15 Place. The 90th Place is my office, the Canyon View is
16 my residence.

17 ALJ PRENY: Well, it's more your choice than
18 ours.

19 MR. STACY: The 90th Place is sufficient for me.

20 ALJ PRENY: Okay. And I'm sure once you obtain
21 counsel, you'll provide a proper address for us.

22 MR. STACY: Yes, Your Honor.

23 ALJ PRENY: Shall we schedule a, I guess usually
24 about 30 days ahead of time, for an exchange of
25 exhibits -- usually about 30 days ahead we exchange

1 exhibits and witnesses.

2 Is that acceptable, Mr. Briggs?

3 MR. BRIGGS: Yes, Your Honor.

4 ALJ PRENY: Mr. Stacy?

5 MR. STACY: Yes, Your Honor.

6 ALJ PRENY: Okay. All right, then, if there are
7 no further issues, I'll go ahead and conclude the
8 proceedings for today. I'll be issuing a procedural
9 order that's consistent with the matters that we
10 discussed.

11 Thank you all. We're now adjourned.

12 MR. BRIGGS: Thank you.

13 MR. STACY: Thank you.

14 (The proceedings concluded at 10:09 p.m.)
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1 STATE OF ARIZONA)
) ss.
 2 COUNTY OF MARICOPA)

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I, KAREN L. KESSLER, RPR, Certified Reporter
 No. 50821 for the State of Arizona, do hereby certify
 that the foregoing printed pages constitute a full, true
 and accurate transcript of the proceedings had in the
 foregoing matter, all done to the best of my skill and
 ability.

WITNESS my hand this 28th day of August, 2014.



 KAREN L. KESSLER, RPR
 Certified Reporter
 Certificate No. 50821