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BEFORE THE ARIZONA CORPORATION COM

In re:)	
)	
MICHELLE LEE WAGNER)	DOCKET NO.
(CRD No. 2403647),)	S-20916A-14-0328
)	
Respondent.)	Prehearing Conference

Arizona Corporation Commission

DOCKETED

NOV 05 2014

At: Phoenix, Arizona

Date: October 21, 2014

Filed: November 5, 2014

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1 BE IT REMEMBERED that the above-entitled
2 and numbered matter came on regularly to be heard before
3 the Arizona Corporation Commission, 1200 West Washington
4 Street, Room 2, Phoenix, Arizona, commencing at 10:03
5 a.m. on the 21st day of October, 2014.

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8 BEFORE: MARK PRENY, Administrative Law Judge

9

10 APPEARANCES:

11 For the Respondent:

12 ZEIGLER LAW GROUP
13 Mr. J. Murray Zeigler
14 229 West La Vieve Lane
15 Tempe, Arizona 85284

16 For the Arizona Corporation Commission Securities Division:

17 Mr. Ryan J. Millecam
18 Staff Attorney, Securities Division
19 1300 West Washington Street
20 Phoenix, Arizona 85007

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LILIA MONARREZ, RPR
Certified Reporter
Certificate No. 50699

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1 ALJ PRENY: Okay. Let's go on the record.

2 This is the time set for a pre-hearing
3 conference in the matter of Michelle Lee Wagner. This
4 is Docket Number S-20916A-14-0328. I'm Administrative
5 Law Judge Mark Preny. I will be presiding over today's
6 matter.

7 Let's begin by taking appearances for the
8 record, starting with counsel for the Securities
9 Division.

10 MR. MILLECAM: For the Division, Ryan Millecam.

11 ALJ PRENY: Good morning, Mr. Millecam.

12 For the respondent?

13 MR. ZEIGLER: Good morning, Your Honor. Murray
14 Zeigler on behalf of the respondent.

15 ALJ PRENY: Good morning Mr. Zeigler.

16 Mr. Millecam, I guess, a question to you, where
17 do things stand at present? Have you had an opportunity
18 to talk with Respondent's counsel?

19 MR. MILLECAM: We have. We even talked about
20 possibly settling this matter and we agree on quite a
21 few terms, but there is one or two very big ones that we
22 may not be able to reach an agreement upon and for those
23 reasons, the Division would request that we go ahead and
24 schedule a hearing. We feel that with, kind of, the
25 momentum of the discussions, the hearing can be several

1 months out, you know, three or four, four or five, but
2 we would like to have that because there's a very real
3 chance that if we do not settle these elements, we'll
4 need to go to hearing to resolve the issues.

5 ALJ PRENY: Have you had an opportunity to get
6 an idea of how -- how long of a hearing we'd be looking
7 at or how many witnesses you would have?

8 MR. MILLECAM: Yes, Your Honor. Probably only
9 two witnesses. This is a fairly straightforward case,
10 and it deals with a broker and a violation of specific
11 statutes. I think we can have a one-day hearing.

12 ALJ PRENY: Okay. Mr. Zeigler, does
13 Mr. Millecam's summary of your discussion sound about
14 accurate to you?

15 MR. ZEIGLER: Very accurate, Your Honor. Yes.

16 ALJ PRENY: Okay. And what's -- what's the
17 respondent's position? Does the hearing about that
18 length out sound appropriate?

19 MR. ZEIGLER: Yes, it does, Your Honor.

20 ALJ PRENY: All right. And do you also believe
21 this will be a one-day hearing for both sides?

22 MR. ZEIGLER: I do, and I don't anticipate
23 having more than two witnesses in this matter as well.

24 ALJ PRENY: Okay. Have either of you had an
25 opportunity to talk about what calendar -- what dates

1 would be -- day, I guess, singular day would be good for
2 the parties?

3 MR. MILLECAM: We haven't. I mean, if we're
4 looking four months out, we're talking around February
5 or March. I typically don't have much going on,
6 especially in February.

7 MR. ZEIGLER: Yeah. I concur with Mr. Millecam
8 on that.

9 ALJ PRENY: I know I've got a three-week hearing
10 in February.

11 Maybe the first week of March, if that would
12 work for the parties?

13 MR. MILLECAM: Uh-huh.

14 ALJ PRENY: Mr. Zeigler is laughing.

15 Is that a bad laugh or a good laugh?

16 MR. ZEIGLER: It's just that I have very little
17 on my calendar right now except for the first week of
18 March and that's only one day. That will be March 5th.
19 It is a bad day for me. Other than that I probably have
20 all of next year.

21 ALJ PRENY: Okay. Why don't we go ahead and
22 schedule it for Monday, March 2nd, at 10:00 a.m.? And I
23 guess generally we usually do about 30 days for exchange
24 of a witness list and exhibits.

25 Does that sound appropriate, Mr. Millecam?

1 MR. MILLECAM: That sounds appropriate. Lately
2 we've been doing 45 days. If Mr. Zeigler wants that,
3 I'm okay with that too.

4 ALJ PRENY: Do you have a preference either way,
5 Mr. Millecam?

6 MR. MILLECAM: I don't care, no.

7 ALJ PRENY: Mr. Zeigler?

8 MR. ZEIGLER: Either way is fine with me.

9 ALJ PRENY: We can do -- we can do 45. So I'll
10 set it approximately 45 days out from March 2nd.

11 Any further issues today, Mr. Millecam?

12 MR. MILLECAM: No, Your Honor.

13 ALJ PRENY: Mr. Zeigler?

14 MR. ZEIGLER: No, Your Honor.

15 ALJ PRENY: Okay. There being nothing else, I
16 will go ahead and issue a Procedural Order that's
17 consistent with our discussions today.

18 Thank you all for appearing and we're now
19 adjourned.

20 MR. ZEIGLER: Thank you very much.

21 MR. MILLECAM: Thank you.

22 (Whereupon, the proceedings adjourned at 10:07
23 a.m.)

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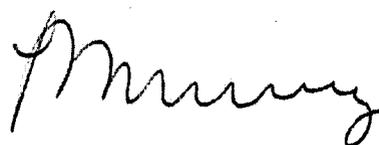
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2 COUNTY OF MARICOPA)

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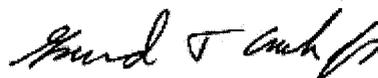
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