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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

SUSAN BITTER SMITH - Chairman
BOB STUMP
BOB BURNS
DOUG LITTLE
TOM FORESE

2015 JAN 26 P 2:52

AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission
DOCKETED

JAN 26 2015

DOCKETED BY [Signature]

In the matter of:

RED MOUNTAIN FUNDING, INC., an Arizona corporation; and

BRYAN J. SAMMONS and MARY L. SAMMONS, husband and wife,

Respondents.

DOCKET NO. S-20920A-14-0388

ORIGINAL

FOURTH
PROCEDURAL ORDER
(Sets Status Conference and Hearing)

BY THE COMMISSION:

On November 14, 2014, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing Regarding Proposed Order to Cease and Desist, for Restitution, for Administrative Penalties, and for Other Affirmative Action ("Notice") against Red Mountain Funding, Inc., and Bryan J. Sammons and Mary L. Sammons (collectively "Respondents"), in which the Division alleged violations of the Arizona Securities Act ("Act") in connection with the execution of notes.

The spouse of Bryan J. Sammons, Mary L. Sammons ("Respondent Spouse"), is joined in the 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 December 1, 2014, Respondents filed a Request for Hearing pursuant to A.R.S. § 44-1972 and A.A.C. R14-4-306.

On December 2, 2014, by Procedural Order, a pre-hearing conference was scheduled for December 22, 2014.

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1 On December 9, 2014, the Respondents filed a Motion to Continue the Prehearing Conference
2 Scheduled for December 22, 2014. The reason for a continuance was attributed to a vacation by
3 Respondents' counsel. Respondents' counsel asserted he contacted counsel for the Securities
4 Division and stated that a short continuance would not be opposed.

5 On December 10, 2014, by Procedural Order, the pre-hearing conference was rescheduled to
6 January 6, 2015.

7 On December 22, 2014, the Respondents filed an Answer.

8 On December 26, 2014, by Procedural Order, the pre-hearing conference scheduled for
9 January 6, 2015 was rescheduled to January 26, 2015.

10 On January 26, 2015, a pre-hearing conference was held. The Division and the Respondents
11 appeared through counsel. The parties requested a status conference and hearing be scheduled.

12 Accordingly, a status conference and hearing should be scheduled.

13 IT IS THEREFORE ORDERED that a **status conference** shall be held on **July 21, 2015, at**
14 **10:00 a.m.**, at the Commission's offices, 1200 West Washington Street, Hearing Room No. 1
15 Phoenix, Arizona.

16 IT IS FURTHER ORDERED that **hearing** shall be held commencing on **September 21,**
17 **2015, at 10:00 a.m.**, at the Commission's offices, 1200 West Washington Street, Hearing Room No
18 1, Phoenix, Arizona.

19 IT IS FURTHER ORDERED that **the parties shall also set aside September 22-25, 2015**
20 **for additional days of hearing**, if necessary.

21 IT IS FURTHER ORDERED that **the Division and Respondents shall exchange copies of**
22 **their Witness Lists and copies of the Exhibits by August 7, 2015**, with courtesy copies provided to
23 the presiding Administrative Law Judge.

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

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

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

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

10 IT IS FURTHER ORDERED that the Presiding Administrative Law Judge may rescind, alter
11 amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by
12 ruling at hearing.

13 DATED this 26TH day of January, 2015.

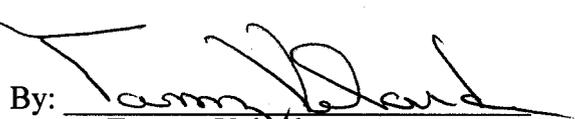
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17 MARK PRENY
ADMINISTRATIVE LAW JUDGE

18 Copies of the foregoing mailed/delivered
19 this 26TH day of January, 2015, to:

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21 Jennifer A. Stevens
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