

ORIGINAL



0000167227

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**BEFORE THE ARIZONA CORPORATION COMMISSION**

RECEIVED

COMMISSIONERS

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

2015 DEC -9 P 2:39

DOCKETED

AZ CORP COMMISSION  
DOCKET CONTROL

DEC 09 2015

DOCKETED BY *KL*

IN THE MATTER OF:

DOCKET NO. S-20928A-15-0199

HENRYK JAN KUNOWSKI, aka H. JON  
KUNOWSKI, aka JON KUNOWSKI, an unmarried  
man.

Respondent.

**PROCEDURAL ORDER**  
**(Sets Pre-Hearing Conference)**

**BY THE COMMISSION:**

On June 18, 2015, 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 Henryk Jan Kunowski, aka H. Jon Kunowski, aka John Kunowski ("Kunowski" or "Respondent"), in which the Division alleged violations of the Arizona Securities Act ("Act") in connection with the offer and sale of securities in the form of stock, promissory notes and/or investment contracts.

The Respondent was duly served with a copy of the Notice.

On November 17, 2015, the Division filed a Notice of Service by Publication and Affidavit of Attempted Service in Support of Service by Publication. The Division stated that the Respondent was served by publication, pursuant to A.A.C. R14-4-303(H). The Division contended that "service on Kunowski by publication was complete on November 16, 2015."

On December 1, 2015, the Division filed an Affidavit of Service on the Respondent.

On December 8, 2015, the Respondent filed a Request for a Hearing.

Accordingly, a pre-hearing conference should be scheduled.

IT IS THEREFORE ORDERED that a **pre-hearing conference** shall be held on **January 6, 2016, at 10:00 a.m.**, at the Commission's offices, 1200 West Washington Street, Hearing Room No.

1 1, Phoenix, Arizona.

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

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

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

14 IT IS FURTHER ORDERED that, as permitted under A.A.C. R14-3-107(B), each party to this  
15 matter may opt to receive service of all filings in this docket, including all filings by parties and all  
16 Procedural Orders and Recommended Opinions and Orders/Recommended Orders issued by the  
17 Commission's Hearing Division, via email sent to an email address provided by the party rather than  
18 via U.S. Mail. To exercise this option, a party shall:

- 19 1. Ensure that the party has a valid and active email address to which the party has regular  
20 and reliable access ("designated email address");
- 21 2. Complete a Consent to Email Service form, available on the Commission's website  
22 ([www.azcc.gov](http://www.azcc.gov));
- 23 3. File the original and 13 copies of the Consent to Email Service form with the  
24 Commission's Docket Control, also providing service to each party to the service list;
- 25 4. Send an email, containing the party's name and the docket number for this matter, to  
26 [HearingDivisionServicebyEmail@azcc.gov](mailto:HearingDivisionServicebyEmail@azcc.gov) from the designated email address, to allow  
27 the Hearing Division to verify the validity of the designated email address;

28



1 COASH & COASH, INC.  
2 Court Reporting, Video and Videoconferencing  
3 1802 North 7<sup>th</sup> Street  
4 Phoenix, AZ 85006

5 By:   
6 Tammy Velarde  
7 Assistant to Mark Preny  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28