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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

Arizona Corporation Commission

DOCKETED

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AZ CORP COMMISSION DOCKET CONTROL

- DOUG LITTLE – Chairman
- BOB STUMP
- BOB BURNS
- TOM FORESE
- ANDY TOBIN

DOCKETED BY *[Signature]*

IN THE MATTER OF:

DOCKET NO. S-20949A-16-0002

BART J. ELLIS and COLLEEN ELLIS, husband and wife,

OAK CAPITAL PARTNERS, LLC, an Arizona Limited Liability company,

Respondents.

THIRD PROCEDURAL ORDER
(Schedules Hearing)

BY THE COMMISSION:

On January 8, 2016, 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 Oak Capital Partners, LLC (“Oak Capital”), and Bart J. Ellis and Colleen Ellis, husband and wife (the “Ellises”) (collectively “Respondents”), in which the Division alleged violations of the Arizona Securities Act (“Securities Act”) in connection with the offer and sale of securities in the form of stocks, notes and mutual funds, and violations of the Arizona Investment Management Act (“IM Act”) in connection with transactions involving the provision of investment advisory services.

The spouse of Bart J. Ellis, Colleen Ellis (“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 copies of the Notice.

On February 16, 2016, Respondent Bart J. Ellis filed a Request for Hearing pursuant to Arizona Administrative Code (“A.A.C.”) R14-4-306.

On February 19, 2016, by Procedural Order, a pre-hearing conference was scheduled to commence on March 7, 2016.

On February 23, 2016, Colleen Ellis filed a Request for Hearing pursuant to A.R.S. § 44-3212

1 and A.A.C. R14-4-306.

2 On February 24, 2016, by Procedural Order, the scheduled pre-hearing conference was
3 affirmed, with notice provided to Respondent Spouse.

4 On March 7, 2016, the pre-hearing conference was held as scheduled. The Division appeared
5 through counsel, as did Respondent Spouse. Respondent Bart J. Ellis did not appear. The scheduling
6 of a hearing date was discussed.

7 Accordingly, a hearing should be scheduled.

8 **IT IS THEREFORE ORDERED that a hearing shall be held commencing on August 30,**
9 **2016, at 10:00 a.m., at the Commission's offices, 1200 West Washington Street, Hearing Room**
10 **No. 1, Phoenix, Arizona.**

11 **IT IS FURTHER ORDERED that the parties shall also reserve August 31, September 1 and**
12 **2, 2016, for additional days of hearing, if necessary.**

13 **IT IS FURTHER ORDERED that the Division and Respondents shall exchange copies of**
14 **their Witness Lists and copies of the Exhibits by July 15, 2016, with courtesy copies provided to**
15 **the presiding Administrative Law Judge.**

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

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

21 **IT IS FURTHER ORDERED that all parties must comply with Rules 31 and 39 of the Rules of**
22 **the Arizona Supreme Court and A.R.S. § 40-243 with respect to the practice of law and admission *pro***
23 ***hac vice*.**

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

1 Administrative Law Judge or the Commission.

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

5 DATED this 7th day of March, 2016.

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MARK PRENY
ADMINISTRATIVE LAW JUDGE

10 Copies of the foregoing mailed/delivered
11 this 7th day of March, 2016, to:

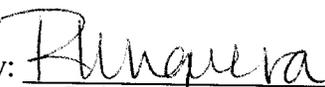
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