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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

DOUG LITTLE – Chairman
BOB STUMP
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ANDY TOBIN

Arizona Corporation Commission

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AZ CORP COMMISSION
DOCKET CONTROL

DOCKETED BY *ME*

in the matter of:

DOCKET NO. S-20930A-15-0211

FRANKLIN AAA HOLDINGS, LLC, A TEXAS
LIMITED LIABILITY COMPANY,

ANTHONY CLAVIEN, A SINGLE MAN,

Respondents.

PROCEDURAL ORDER
(Schedules a Pre-Hearing Conference)

BY THE COMMISSION:

On June 24, 2015, the Securities Division (“Division”) of the Arizona Corporation Commission (“Commission”) filed a Notice of Opportunity for Hearing (“Notice”) against Franklin AAA Holdings, LLC, A Texas limited liability company (“FAH”) and Anthony Clavien (collectively “Respondents”), in which the Division alleged multiple violations of the Arizona Securities Act (“Act”) in connection with the offer and sale of securities in the form of percentage interests in real estate transactions, investment contracts and promissory notes.

On April 5, 2016, by respondent Clavien a request for hearing in this matter.

Accordingly, a pre-hearing conference should be scheduled.

IT IS THEREFORE ORDERED a **pre-hearing conference** shall be held on **May 17, 2016, at 10:00 a.m.**, at the Commission’s offices, 1200 West Washington Street, **Hearing Room No. 1**, Phoenix, Arizona.

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

IT IS FURTHER ORDERED that all parties must comply with Rules 31, 38, 39 and 42 of the Rules of the Arizona Supreme Court and A.R.S. § 40-243 with respect to the practice of law and

1 admission *pro hac vice*.

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

- 7 1. Ensure that the party has a valid and active email address to which the party has regular
8 and reliable access ("designated email address");
- 9 2. Complete a Consent to Email Service using the form available on the Commission's
10 website (www.azcc.gov) or a substantially similar format;
- 11 3. File the original and 13 copies of the Consent to Email Service with the Commission's
12 Docket Control, also providing service to each party to the service list;
- 13 4. Send an email, containing the party's name and the docket number for this matter, to
14 HearingDivisionServicebyEmail@azcc.gov from the designated email address, to allow
15 the Hearing Division to verify the validity of the designated email address;
- 16 5. Understand and agree that service of a document on the party shall be complete upon
17 the sending of an email containing the document to the designated email address,
18 regardless of whether the party receives or reads the email containing the document;
19 and
- 20 6. Understand and agree that the party will no longer receive service of filings in this
21 matter through First Class U.S. Mail or any other form of hard-copy delivery, unless
22 and until the party withdraws this consent through a filing made in this docket.

23 IT IS FURTHER ORDERED that a party's consent to email service shall not become effective
24 until a Procedural Order is issued approving the use of email service for the party. The Procedural
25 Order shall be issued only after the party has completed steps 1 through 4 above, and the Hearing
26 Division has verified receipt of an email from the party's designated email address.

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1 IT IS FURTHER ORDERED that a party's election to receive service of all filings in this matter
2 via email does not change the requirement that all filings with the Commission's Docket Control must
3 be made in hard copy and must include an original and 13 copies.

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 at
7 all hearings and procedural conferences, as well as all Open Meetings for which the matter is scheduled
8 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
14 DATED this 13th day of April, 2016.

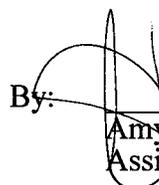
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16 
17 MARC E. STERN
ADMINISTRATIVE LAW JUDGE

18 Copies of the foregoing mailed/delivered
19 this 13th day of April, 2016 to:

20 John C. Kelly
21 COPPERSMITH BROCKELMAN PLC
22 2800 North Central Avenue, Suite 120
Phoenix, Arizona 85004
Attorney for Respondent Anthony Clavien

COASH & COASH, INC.
COURT REPORTING, VIDEO &
VIDEOCONFERENCING
1802 N. 7th Street,
Phoenix, AZ 85006

23 Matt Neubert, Director
24 Securities Division
25 ARIZONA CORPORATION COMMISSION
26 1200 West Washington Street
27 Phoenix, Arizona 85007

28
By: 
Amy Wilson
Assistant to Marc E. Stern