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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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

Arizona Corporation Commission

DOCKETED

APR 27 2016

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AZ CORP COMMISSION
DOCKET CONTROL

DOCKETED BY *JK*

In the matter of:)
)
KENNETH JOSEPH PLEIN, a married man,)
)
MARY KATHRYN PLEIN (a.k.a. "MARY KAY)
PLEIN"), a married woman,)
)
KENNETH JOSEPH PLEIN and MARY)
KATHRYN PLEIN (a.k.a. "MARY KAY)
PLEIN"), Co-Trustees of THE PLEIN FAMILY)
TRUST U/T/A dated DECEMBER 1, 1993,)
)
PLEIN ENTERPRISES INCORPORATED)
(d.b.a. "TRI-STAR REALTY"), an Arizona)
corporation,)
)
Respondents.)
)

DOCKET NO. S- 20774A-10-0494

**SECURITIES DIVISION'S
REQUEST FOR RULING ON
EMERGENCY APPLICATION
FOR LEAVE TO INTERVENE,
MOTION TO REOPEN DOCKET,
AND MOTION OBJECTING TO
PROPOSED MANNER OF
DISTRIBUTION OF VICTIMS'
RESTITUTION FUNDS,
OR IN THE ALTERNATIVE
REQUEST FOR STATUS
CONFERENCE**

Patricia Peterson, through her personal representative M. Christopher Peterson, filed an Emergency Application for Leave to Intervene, Motion to Reopen Docket and Motion Objecting to Proposed Manner of Distribution of Victims' Restitution Funds ("Motion") on February 1, 2016. After the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") responded to the Motion, Ms. Peterson then filed a Motion to Continue on February 22, 2016, asking for an additional 60 days to file her reply to the Division's response in order to allow the Superior Court to determine the matter. At this point, over 60 days have past, the Superior Court has taken jurisdiction of all issues raised in the Motion and had briefing and argument on them. There is no reason to have this second proceeding pending in a different forum. The Division thus requested Ms. Peterson's counsel to dismiss it but has heard nothing in reply from him.

