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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

Arizona Corporation Commission

DOCKETED

JUL 25 2016

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IN THE MATTER OF:

JOHN ANTHONY WASZOLEK (CRD NO. 800403)
and KATHLEEN WASZOLEK, husband and wife,

Respondents.

DOCKET NO. S-20977A-16-0242

PROCEDURAL ORDER
(Sets Pre-Hearing Conference)

BY THE COMMISSION:

On July 8, 2016, the Securities Division (“Division”) of the Arizona Corporation Commission (“Commission”) filed a Notice of Opportunity for Hearing Regarding Proposed Order for Restitution, for Administrative Penalties, of Revocation, and for Other Affirmative Action (“Notice”) against John Anthony Waszolek and Kathleen Waszolek, husband and wife (the “Waszoleks” or “Respondents”), in which the Division alleged violations of the Arizona Securities Act (“Act”).

The spouse of John Anthony Waszolek, Kathleen Waszolek (“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.

Respondents were duly served with a copy of the Notice.

On July 22, 2016, the Waszoleks filed a Request for Hearing pursuant to Arizona Administrative Code (“A.A.C.”) R14-4-306.

Accordingly, a pre-hearing conference should be scheduled.

IT IS THEREFORE ORDERED that a **pre-hearing conference** shall be held on **August 10, 2016, at 10:30 a.m.**, at the Commission’s offices, 1200 West Washington Street, Hearing Room No. 2, 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

1 is final and non-appealable.

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

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

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

- 16 1. Ensure that the party has a valid and active email address to which the party has
17 regular and reliable access ("designated email address");
- 18 2. Complete a Consent to Email Service using the form available on the
19 Commission's website (www.azcc.gov) or a substantially similar format;
- 20 3. File the original and 13 copies of the Consent to Email Service with the
21 Commission's Docket Control, also providing service to each party to the service
22 list;
- 23 4. Send an email, containing the party's name and the docket number for this matter,
24 to HearingDivisionServicebyEmail@azcc.gov from the designated email address,
25 to allow the Hearing Division to verify the validity of the designated email address;
- 26 5. Understand and agree that service of a document on the party shall be complete
27 upon the sending of an email containing the document to the designated email
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1 address, regardless of whether the party receives or reads the email containing the
2 document; and

3 6. Understand and agree that the party will no longer receive service of filings in this
4 matter through First Class U.S. Mail or any other form of hard-copy delivery,
5 unless and until the party withdraws this consent through a filing made in this
6 docket.

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

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

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

17 DATED this 25TH day of July, 2016.

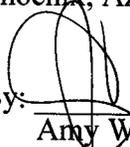
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19 _____
20 MARK PRENY
21 ADMINISTRATIVE LAW JUDGE

22 Copies of the foregoing mailed/delivered
23 this 25th day of July, 2016, to:

24 Alan S. Baskin
25 2901 North Central Avenue, Suite 1150
26 Phoenix, Arizona 85012
27 Attorney for Respondents John Anthony Waszolek and Kathleen Waszolek

28 Matthew Neubert, Director
Securities Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, AZ 85007

1 COASH & COASH, INC.
2 Court Reporting, Video and Videoconferencing
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5 By: 
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7 Amy Wilson
8 Assistant to Mark Preny
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