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Arizona Corporation Commission

2018 APR -6 P 2: 25

DOCKETED

COMMISSIONERS

TOM FORESE – Chairman
BOB BURNS
ANDY TOBIN
BOYD DUNN
JUSTIN OLSON

APR 6 2018

DOCKETED BY
[Signature]

IN THE MATTER OF:

DOCKET NO. S-21042A-18-0059

THOMAS P. MADDEN and LESLIE MADDEN,
husband and wife,

SECOND
PROCEDURAL ORDER
(Sets Pre-Hearing Conference)

Respondents.

BY THE COMMISSION:

On March 12, 2018, the Securities Division (“Division”) of the Arizona Corporation Commission (“Commission”) filed a Notice of Opportunity for Hearing Regarding Proposed Order to Cease and Desist, Order for Restitution, Order for Administrative Penalties, and Order for Other Affirmative Action (“Notice”) against Thomas P. Madden and Leslie Madden, husband and wife (the “Maddens” or “Respondents”). The Division alleges that the Respondent Thomas P. Madden engaged in acts, practices, and transactions that constitute violations of the Securities Act of Arizona, A.R.S. § 44-1801 *et seq.* (“Securities Act”).

The spouse of Thomas P. Madden, Leslie Madden (“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 April 4, 2018, Respondents filed a Request for Hearing pursuant to Arizona Administrative Code (“A.A.C.”) Rule R14-4-306(B).

Accordingly, a pre-hearing conference should be scheduled.

IT IS THEREFORE ORDERED that a **pre-hearing conference shall be held on April 23, 2018, at 11:00 a.m.** at the Commission’s offices, 1200 West Washington Street, Phoenix, Arizona. **The parties shall be prepared to discuss potential dates for a hearing if they are contesting the**

1 **issues raised in the Notice.**

2 IT IS FURTHER ORDERED that **Respondents' failure to appear for the pre-hearing**
3 **conference may result in a Default Order being issued in this matter.**

4 IT IS FURTHER ORDERED that each party or prospective party shall **refer to the Procedural**
5 **Order Regarding Consent to Email Service** issued in this matter on **April 6, 2018**, for additional
6 information regarding the process to consent to service by email. Information regarding Consent to
7 Email Service is also available on the Commission's website (www.azcc.gov) by clicking on "I Want
8 To" and then "Learn about Consenting to Email Service."

9 IT IS FURTHER ORDERED that all parties must comply with Arizona Supreme Court Rules
10 31, 38, 39, and 42 and A.R.S. § 40-243 with respect to the practice of law and admission *pro hac vice*.

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

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

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

23 DATED this 6TH day of April, 2018.

24
25 
26 MARK PRENEY
27 ADMINISTRATIVE LAW JUDGE
28

1 On this 10th day of April, 2018, the foregoing document was filed with Docket Control as a
2 Procedural Order – Sets a Pre-Hearing Conference, and copies of the foregoing were mailed on behalf
3 of the Hearing Division to the following who have not consented to email service. On this date or as
soon as possible thereafter, the Commission’s eDocket program will automatically email a link to the
4 foregoing to the following who have consented to email service.

4 Mark D. Chester
5 CHESTER & SHEIN, P.C.
6 6720 N. Scottsdale Road, Suite 261
7 Scottsdale, AZ 85253
Attorneys for Respondents Thomas P. Madden and Leslie Madden

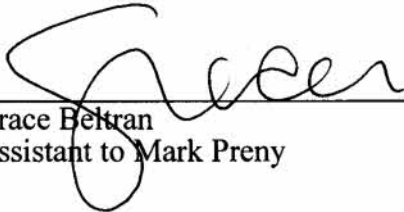
8 Matthew Neubert, Director
9 Securities Division
10 ARIZONA CORPORATION COMMISSION
11 1200 West Washington Street
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Consented to Service by Email

11 COASH & COASH, INC.
12 Court Reporting, Video and
13 Videoconferencing
14 1802 North 7th Street
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Mailed as a courtesy

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16 By:



17 Grace Beltran
Assistant to Mark Preny
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