

**BEFORE THE STATE OF ALASKA OFFICE OF ADMINISTRATION HEARINGS ON  
REFERRAL FROM THE COMMISSIONER OF THE  
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC  
DEVELOPMENT**

IN THE MATTER OF

Index Analysis Pool, LP & George Heffeman,  
a/k/a George W. Marshall.

OAH No. 05-0640-SEC  
Agency Case No. 06-02 S

**CORRECTED<sup>1</sup> ORDER OF DISMISSAL**

On January 25, 2006, the Department of Commerce, Community, and Economic Development, Division of Banking and Securities, (Division) filed a motion requesting an order dismissing with prejudice the request for a hearing filed by respondent George Heffeman, on behalf of himself and his business, Index Analysis Pool, LP, due to Mr. Heffeman's failure to participate in this proceeding.

Good cause has been shown for granting the relief requested. Mr. Heffeman filed this appeal, but Mr. Heffeman has failed to prosecute his appeal diligently.<sup>2</sup> At a status conference on October 17, 2005, Mr. Heffeman agreed to negotiate with opposing counsel, but he has not responded to any communications since November 2, 2005.<sup>3</sup> Mr. Heffeman failed to appear at the scheduled status conferences on November 21, 2005 and January 6, 2006. I called his phone number of record at the time of both these status conferences and left messages instructing Mr.

<sup>1</sup> The Order of Dismissal in this case was issued and distributed to the parties. The Division then filed a Request for Typographical Correction, pointing out that there was a typographical error in the order. Therefore, this corrected order is issued at the Division's request, in place of the original. It is identical to the original, with the exception of the correction, which appears in bold italic type. The parties' responses to the proposed order still must be filed by the date on the notice that was attached to the original proposed order.

<sup>2</sup> See Alaska Statute 44.64.060(d).

<sup>3</sup> See Division's motion page 2.

Heffernan to file a request to reschedule if he wished to pursue his appeal. He did *not* file such a request.

The Division's Motion to dismiss is GRANTED. This case will not be scheduled for formal hearing. Mr. Heffernan's request for a hearing is dismissed.

DATED this 3rd day of February, 2006.

By: Mark T. Handley  
Administrative Law Judge

**Adoption**

This Order is issued under the authority of AS 45.55.920(d). The undersigned, on behalf of the Administrator of the Division and in accordance with, adopts this Decision and Order as the final administrative determination in this matter.

Judicial review of this decision may be obtained by filing an appeal in the Alaska Superior Court in accordance with Alaska Rule of Appellate Procedure 602(a)(2) within 30 days after the date of this decision.

DATED this 13th day of March, 2006.

By: Mark R. Davis

Administrator of Securities

The undersigned certifies that  
this date an exact copy of the  
foregoing was provided to the following individuals:

Case Parties  
3/13/06