

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 2119/December 11, 2014

ADMINISTRATIVE PROCEEDING
File No. 3-16184

In the Matter of

JORDAN PEIXOTO

ORDER ON MOTION FOR EXTENSION

The Securities and Exchange Commission (Commission) issued an Order Instituting Cease-and-Desist Proceedings (OIP) on September 30, 2014, pursuant to Section 21C of the Securities Exchange Act of 1934, against Respondent Jordan Peixoto. A hearing is scheduled to commence on March 16, 2015. Motions for summary disposition are due on December 12, 2014, oppositions are due on January 9, 2015, and replies to motions for summary disposition are due January 20, 2015. *Jordan Peixoto*, Admin. Proc. Rulings Release No. 2000, 2014 SEC LEXIS 4272 (Nov. 10, 2014).

On December 10, 2014, this Office received, by email, a letter from Respondent (Letter Motion), requesting that the due date for the motions for summary disposition be extended five calendar days to allow him time to incorporate the Second Circuit's decision in *Newman/Chiasson*, which was issued on December 10, 2014, into his motion. Respondent represents that the Division of Enforcement consents to the extension but also wants the due dates for the opposition and replies extended by five days.

The Letter Motion is addressed to me, and although Respondents may well have filed the Letter Motion with the Commission's Office of the Secretary (OS), the Letter Motion does not so state. *See* 17 C.F.R. 201.151 (motions must be filed with OS). I accept motions, including this one, that are formatted as letters, a practice which is apparently common in New York City. However, in Commission administrative proceedings relief is more properly requested by filing a motion with OS (with a courtesy copy to the administrative law judge) rather than sending a letter addressed to the administrative law judge. *See* 17 C.F.R. 201.152 (specifying the form of motions). I note that the Commission's Rules of Practice do not require that motions be bound, as with Respondent's Motion to Stay, filed November 18, 2014, only that they be stapled in the upper left corner. 17 C.F.R. 201.152(a)(6). Also, I consider the requirement that a motion be "accompanied by a written brief of the points and authorities relied upon" satisfied where the motion and the written brief are combined in one document. 17 C.F.R. 201.154(a).

Accordingly, I ORDER that the schedule for the filing of the motions for summary disposition, oppositions, and replies shall all be extended by five days. Motions for summary disposition are now due December 17, 2014, oppositions are due January 14, 2015, and replies to motions for summary disposition are due January 26, 2015.¹

Cameron Elliot
Administrative Law Judge

¹ Replies are extended to January 26 instead of January 25, 2015, which is a Sunday.