

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 1063/November 21, 2013

ADMINISTRATIVE PROCEEDING
File No. 3-15514

In the Matter of

DONALD J. ANTHONY, JR.,
FRANK H. CHIAPPONE,
RICHARD D. FELDMANN,
WILLIAM P. GAMELLO,
ANDREW G. GUZZETTI,
WILLIAM F. LEX,
THOMAS E. LIVINGSTON,
BRIAN T. MAYER,
PHILIP S. RABINOVICH, AND
RYAN C. ROGERS

ORDER CANCELING
SETTLEMENT CONFERENCES

The Securities and Exchange Commission (Commission) instituted this proceeding on September 23, 2013, pursuant to Section 8A of the Securities Act of 1933, Sections 15(b) and 21C of the Securities Exchange Act of 1934, Section 203(f) of the Investment Advisers Act of 1940, and Section 9(b) of the Investment Company Act of 1940.

Today, I held a telephonic prehearing conference, joined by counsel for William P. Gamello (Gamello), Frank H. Chiappone (Chiappone), and the Division of Enforcement, to discuss scheduling settlement conferences. Counsel for all Respondents, except for Donald J. Anthony, Jr., and Andrew G. Guzzetti, joined the call. Richard 5514D. Feldmann joined pro se. I orally ruled that a settlement conference involving Gamello would be held in New York City on Tuesday, November 26, 2013, and a settlement conference involving Chiappone would be held in New York City on Friday, December 6, 2013.

Shortly after the prehearing conference ended, I learned that the Commission's budget is insufficient to justify the expense of my travel for any settlement conferences. Accordingly, all settlement conferences are CANCELED. I remain available for settlement conferences by telephone, or by videoconferencing if arrangements can be made, but I am of the view that my participation by telephone or video is not an adequate substitute for my participation in person. If any party nonetheless desires a settlement conference by telephone or videoconferencing, I will entertain a motion to that effect.

Additionally, as I stated during the prehearing conference, the location of the hearing in this proceeding was originally set for Washington, D.C., starting January 27, 2014, but has now been moved to the New York City area. The precise venue for the hearing will be determined at a later date.

SO ORDERED.

Cameron Elliot
Administrative Law Judge