

UNITED STATES OF AMERICA  
Before the  
SECURITIES AND EXCHANGE COMMISSION

ADMINISTRATIVE PROCEEDINGS RULINGS  
Release No. 779/August 6, 2013

ADMINISTRATIVE PROCEEDING  
File No. 3-15235

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In the Matter of	:	
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FRY HENSLEY AND COMPANY and	:	STAY ORDER
NICHOLAS L. FRY, II	:	

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The Securities and Exchange Commission instituted this proceeding with an Order Instituting Proceedings on March 8, 2013, pursuant to Sections 15(b) of the Securities Exchange Act of 1934, 203(e), 203(f), and 203(k) of the Investment Advisers Act of 1940, and 9(b) of the Investment Company Act of 1940. The hearing was scheduled to commence on October 7, 2013.

The parties have moved for a stay, pursuant to 17 C.F.R. § 201.161(c)(2), stating that they have agreed in principle to a settlement on all major terms. Accordingly, the proceeding will be stayed consistent with 17 C.F.R. § 201.161(c)(2). Thus, the hearing and all prehearing procedural dates will be postponed *sine die*. The Division of Enforcement will submit a report concerning the status of the settlement by October 31, 2013, if the proceeding has not been resolved by then.

IT IS SO ORDERED.

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Carol Fox Foelak  
Administrative Law Judge