

UNITED STATES OF AMERICA  
Before the  
SECURITIES AND EXCHANGE COMMISSION

ADMINISTRATIVE PROCEEDINGS RULINGS  
Release No. 818/August 28, 2013

ADMINISTRATIVE PROCEEDING  
File No. 3-14630

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In the Matter of

DANIEL J. GALLAGHER

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ORDER

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The Securities and Exchange Commission (Commission) instituted this proceeding with an Order Instituting Proceedings (OIP) on November 16, 2011, pursuant to Section 8A of the Securities Act of 1933 (Securities Act) and Sections 15(b) and 21C of the Securities Exchange Act of 1934 (Exchange Act). The OIP alleges that Daniel J. Gallagher (Gallagher) violated the antifraud provisions of the Securities and Exchange Acts.

After Gallagher was convicted of securities fraud and wire fraud in United States v. Gallagher, 2:11-cr-00806 (E.D.N.Y. Apr. 23, 2013),<sup>1</sup> the Division of Enforcement requested that the Commission amend the OIP to reflect the conviction. In light of this pending request and consistent with 17 C.F.R. § 201.161, the telephonic prehearing conference scheduled for September 6, 2013, will be postponed and will be held on October 31, 2013, at 10:00 a.m. EDT.

IT IS SO ORDERED.

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Carol Fox Foelak  
Administrative Law Judge

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<sup>1</sup> The proceeding was stayed, pursuant to 17 C.F.R. § 201.210(c)(3), between December 2, 2011, and May 22, 2013, during the pendency of the investigation and parallel criminal proceeding against Gallagher. Daniel J. Gallagher, Admin. Proc. File No. 3-14630 (A.L.J. May 22, 2013) (unpublished).