

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 856/September 10, 2013

ADMINISTRATIVE PROCEEDING
File No. 3-15461

In the Matter of

TIMOTHY M. MCGINN and
DAVID L. SMITH

ORDER SCHEDULING
HEARING AND
DESIGNATING
PRESIDING JUDGE

The Securities and Exchange Commission (Commission) has ordered, pursuant to Rule 360(a)(2) of the Commission's Rules of Practice, that the Administrative Law Judge assigned to this proceeding shall issue an initial decision no later than 210 days from service of the Order Instituting Proceedings. See 17 C.F.R. § 201.360(a)(2).

IT IS ORDERED that the hearing in this matter commence at 9:30 a.m., Monday, October 7, 2013, in the Commission Headquarters Offices, Hearing Room 2, 100 F Street, N.E., Washington, D.C. 20549.

IT IS FURTHER ORDERED that Administrative Law Judge Carol Fox Foelak preside at the hearing in these proceedings and perform other and related duties in accordance with the Commission's Rules of Practice.

IT IS FURTHER ORDERED that the parties confer and notify the presiding judge of a suggested date and time for a prehearing conference which will be conducted telephonically unless the parties prefer otherwise.

Information prepared by this office to assist the parties is attached to this Order.

For the Commission, by its Chief Administrative Law Judge, pursuant to delegated authority.

Brenda P. Murray
Chief Administrative Law Judge