

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 1212/January 31, 2014

ADMINISTRATIVE PROCEEDING
File No. 3-15538

In the Matter of

LAWRENCE MAXWELL MCCOY

ORDER TAKING OFFICIAL NOTICE
PURSUANT TO 17 C.F.R. § 201.323

On September 30, 2013, the Securities and Exchange Commission (Commission) issued an Order Instituting Administrative Proceedings (OIP) against Respondent Lawrence Maxwell McCoy (McCoy), pursuant to Section 15(b) of the Securities Exchange Act of 1934 (Exchange Act) and Section 203(f) of the Investment Advisers Act of 1940. The OIP alleges that on September 20, 2012, McCoy pleaded guilty to one count of wire fraud in violation of 18 U.S.C. § 1343 in United States v. McCoy, No. 1:12-cr-00222 (JTN) (W.D. Mich.) (Underlying Proceeding), and on January 3, 2013, McCoy was sentenced to fifty-four months in prison followed by two years of supervised release and ordered to pay \$690,267.37 in restitution. OIP at 2.

I granted the parties leave to file motions for summary disposition and established a briefing schedule. See Lawrence Maxwell McCoy, Admin. Proc. Rulings Release No. 1032, 2013 SEC LEXIS 3509 (Nov. 8, 2013). The Division of Enforcement filed a Motion for Summary Disposition (Motion) and a letter in lieu of a formal Reply. McCoy did not file an Opposition, which was due December 20, 2013.

Pursuant to Rule 323 of the Commission's Rules of Practice, I take official notice of the following facts: 1) effective as of July 17, 1968, ING Financial Partners, Inc. (ING Financial), was registered with the Commission as a broker-dealer; 2) effective as of July 11, 1994, ING Financial was registered with the Commission as an investment adviser; and 3) both of these registrations remain current. See 17 C.F.R. § 201.323. These facts are established by the Commission's records and the BrokerCheck database of the Financial Industry Regulatory Authority, Inc. (FINRA). See ING Financial (CRD No. 2882) Registration/Reporting Status, Form ADV, Items 1-2, 6 (Jan. 2, 2014), available at <http://www.adviserinfo.sec.gov>; ING Financial (CRD No. 2882) BrokerCheck Report at 9 (Jan. 31, 2014), available at <http://brokercheck.finra.org>; see also Joseph S. Amundsen, Exchange Act Release No. 69406, 2013 SEC LEXIS 1148, at *2 n.1 (Apr. 18, 2013) (taking official notice of information from FINRA's BrokerCheck database).

Pursuant to Rule 323 of the Commission's Rules of Practice, I also take official notice of the docket sheet and the following documents filed in the Underlying Proceeding that were not offered into evidence in this administrative proceeding: 1) September 14, 2012, Plea Agreement; 2) Transcript of the September 20, 2012, Plea Hearing (filed on November 26, 2012); 3) September 20, 2012, Report and Recommendation; and 4) October 9, 2012, Order Adopting Report and Recommendation. See 17 C.F.R. § 201.323. These documents are available on the Public Access to Court Electronic Records website at www.pacer.gov.

SO ORDERED.

Cameron Elliot
Administrative Law Judge