

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

ADMINISTRATIVE PROCEEDINGS RULINGS

Release No. 2209/January 12, 2015

ADMINISTRATIVE PROCEEDING

File No. 3-16328

In the Matter of

VERO CAPITAL  
MANAGEMENT, LLC,  
ROBERT GEIGER, GEORGE BARBARESI,  
AND STEVEN DOWNEY, CPA

ORDER POSTPONING HEARING  
AND SCHEDULING PREHEARING  
CONFERENCE

On December 29, 2014, the Securities and Exchange Commission (Commission) issued an Order Instituting Administrative and Cease-and-Desist Proceedings (OIP) against Respondents, pursuant to Sections 203(e), 203(f), and 203(k) of the Investment Advisers Act of 1940, Section 9(b) of the Investment Company Act of 1940, and Rule 102(e)(1) of the Commission's Rules of Practice. A hearing is scheduled to commence on February 2, 2015.

On January 12, 2015, this Office received, by email, a letter from the parties (Letter Motion), requesting that a telephonic prehearing conference be held on February 2, 2015, that the hearing be scheduled to begin on May 4, 2015 or May 11, 2015, and that the hearing take place in New York, New York, at the offices of the Commission.

The Letter Motion is addressed to me, with a copy to the Commission's Office of the Secretary (OS). I accept motions, including this one, that are formatted as letters, a practice which is apparently common in New York City. However, in Commission administrative proceedings, relief is more properly requested by filing a motion with OS (with a courtesy copy to the administrative law judge) rather than sending a letter addressed to the administrative law judge. *See* 17 C.F.R. § 201.152 (specifying the form of motions). I note that I consider the requirement that a motion be "accompanied by a written brief of the points and authorities relied upon" satisfied where the motion and the written brief are combined in one document. 17 C.F.R. § 201.154(a).

I ORDER that the hearing scheduled for February 2, 2015, is POSTPONED *sine die*, a telephonic prehearing conference shall be held on February 2, 2015, at 10:00 a.m. EST, and the hearing shall take place in the New York City area, at a venue to be determined. The hearing date shall be determined during the prehearing conference.

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Cameron Elliot  
Administrative Law Judge