

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 3193/October 2, 2015

ADMINISTRATIVE PROCEEDING
File No. 3-16824

In the Matter of

DANIEL PAEZ

ORDER POSTPONING HEARING AND
SCHEDULING PREHEARING CONFERENCE

On September 21, 2015, the Securities and Exchange Commission issued an Order Instituting Administrative Proceedings (OIP) against Respondent pursuant to Section 15(b) of the Securities Exchange Act of 1934 and Section 203(f) of the Investment Advisers Act of 1940. A hearing is currently scheduled for October 15, 2015.

On October 1, 2015, the Division of Enforcement filed a motion requesting that the hearing be postponed and a telephonic prehearing conference be held on October 15, 2015. The motion is GRANTED IN PART, the hearing is postponed, and the parties are ORDERED to hold an initial prehearing conference without the hearing officer by October 21, 2015, to discuss each numbered item in Rule of Practice 221(c), 17 C.F.R. § 201.221(c), including the date by which each item will be accomplished. By October 26, 2015, the parties shall file a joint prehearing conference statement, which addresses each numbered item in Rule 221(c), and includes proposed due dates where applicable, as well as the proposed location for the hearing.¹ Specifically, the joint statement should address whether this proceeding may be resolved by summary disposition and, if so, include proposed due dates for motions, oppositions, and replies. 17 C.F.R. §§ 201.221(c)(7), .250. Based on this prehearing conference statement, a subsequent prehearing conference with the hearing officer will be scheduled if appropriate.

In its motion, the Division also states that Respondent was served with the OIP on September 25, 2015. I find the Division's proof of service insufficient because it does not specify the address at which delivery of the OIP was made or provide any evidence confirming Respondent's whereabouts.² The Division is instructed to file a declaration of service by Tuesday, October 6, 2015.

Jason S. Patil
Administrative Law Judge

¹ The parties may denote that an item is "not applicable" in their filing.

² The Division attaches U.S. Postal Service tracking information showing that the OIP was delivered to an unspecified address in Coleman, Florida.