

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 3202/October 6, 2015

ADMINISTRATIVE PROCEEDING
File No. 3-16509

In the Matter of

EDWARD M. DASPIN, a/k/a “EDWARD (ED) MICHAEL,”
LUIGI AGOSTINI, and
LAWRENCE R. LUX

ORDER

A hearing in this matter is currently scheduled to begin on Monday, January 4, 2016. *See Edward M. Daspin*, Admin. Proc. Rulings Release No. 3183, 2015 SEC LEXIS 4001, at *1 (Sept. 30, 2015). Counsel for Respondent Edward M. Daspin withdrew effective September 28, 2015. *Id.* at *3 & n.2.

On October 2, 2015, Daspin sent an e-mail to this Office forwarding a request that the Division of Enforcement sent him asking for certain medical records. Daspin asserts that the Division is harassing him through its e-mail to him. Daspin has evidently not filed the substance of his e-mails with the Office of the Secretary in compliance with Rules of Practice 151 through 153. *See* 17 C.F.R. §§ 201.151-.153. The same day, the Division e-mailed this Office a courtesy copy of a letter addressed to me. Among other things, the Division asks that I direct Daspin to comply with existing orders concerning disclosure of his medical records. *See Edward M. Daspin*, Admin. Proc. Rulings Release No. 3041, 2015 SEC LEXIS 3348 (Aug. 14, 2015); Admin. Proc. Rulings Release No. 2939, 2015 SEC LEXIS 2933 (July 17, 2015). Later on October 2, Daspin responded to the Division’s letter with yet another e-mail to this Office, and again without evidently filing anything with the Office of the Secretary. Daspin has since sent this Office multiple further e-mails, either sent in a like manner or by copying this Office on his e-mails with the Division.

A separate October 4, 2015, e-mail, sent purportedly on behalf of Daspin to this Office by “L.C. May,” attached motions requesting dismissal of this proceeding or, alternatively, reconsideration of the August 14 scheduling order, a continuance, and my withdrawal from the proceeding.

As a convenience to all participants, parties to administrative proceedings are provided with and permitted to use this Office’s e-mail address. Use of this Office’s e-mail address allows parties to serve each other and this Office with courtesy electronic copies of papers they file with

the Office of the Secretary. This Office's e-mail address is not intended, however, to serve as a forum for the airing of grievances. Instead, parties should attempt to resolve disputes amongst themselves before raising disputes with me. And in raising a dispute with me, the parties must follow the Commission's rules that require papers to be filed with the Office of the Secretary. *See* 17 C.F.R. §§ 201.151-.153. Doing so ensures that everything that takes place during the course of a proceeding is preserved for the public record.

I therefore ORDER Daspin to CEASE sending this Office e-mails unless he is doing so in response to a direct inquiry or request from this Office or is merely providing courtesy copies of documents properly filed with the Office of the Secretary, consistent with the Rules of Practice. He may also send this Office e-mails if he is genuinely seeking to clarify orders I have issued. Future attempts by e-mail to argue about or contest orders will not be considered.

Given Daspin's *pro se* status, I will consider his October 2 e-mails, together with the Division's responsive letter. Daspin may file a combined reply to the Division's letter and response to its request for medical records within five business days after service of the Division's letter. *See* 17 C.F.R. § 201.154(b). Alternatively, he may simply supply the records the Division asserts he has omitted.

To the extent Daspin moved on October 4 for dismissal of this proceeding, or, alternatively, reconsideration of the August 14 scheduling order, a continuance, and my withdrawal, I will consider those requests.¹ The Division has five business days to respond from the date of this Order.

James E. Grimes
Administrative Law Judge

¹ I note, however, that in addition to having evidently not been properly filed with the Office of the Secretary, these papers were e-mailed by an individual who has not entered an appearance on behalf of Daspin. *See* 17 C.F.R. §§ 201.102, .151-.153.