
Because of the Second Circuit stay as to Agostini, the proceeding could not move forward with respect to him, and remained stayed at the prehearing stage. On July 11, 2016, however, the Second Circuit vacated the stay. Agostini v. SEC, No. 15-4114, ECF No. 72. After consulting with the presiding law judge, I have determined that it will not be possible to hold a hearing and issue the initial decision as to Agostini by the current August 22, 2016, deadline.

Accordingly, I move for a six-month extension of the initial decision due date, to February 22, 2017, pursuant to Commission Rule of Practice 360(a)(3), 17 C.F.R. § 201.360(a)(3). Taking into consideration the time required for the parties to submit post-hearing briefs and for the presiding law judge to issue an initial decision, while concurrently handling other matters, a six-month extension would be most appropriate. Cf. 17 C.F.R. § 201.360(a)(2).

Brenda P. Murray
Chief Administrative Law Judge