

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 4270/October 18, 2016

ADMINISTRATIVE PROCEEDING
File No. 3-17253

In the Matter of

JAMES A. WINKELMANN, SR. and
BLUE OCEAN PORTFOLIOS, LLC

POST-HEARING ORDER

The hearing in this proceeding was held October 4-7 and 13-14, 2016. I ORDER the following post-hearing schedule:

1. By November 4, 2016, the parties shall file proposed transcript corrections, if any, whether by motion or stipulation. *See* 17 C.F.R. § 201.302(c).
2. Also by November 4, 2016, the parties shall file paper copies of their exhibits, both admitted and those offered but not admitted, with the Commission's Office of the Secretary. *See* 17 C.F.R. §§ 201.350, .351. To the extent, if any, that they have not already done so, the parties should also provide my office with electronic copies of the exhibits.
3. Also by November 4, 2016, the parties shall file their lists of admitted exhibits and exhibits offered but not admitted. These exhibit lists should specify the exhibit number; description of the exhibit; Bates-stamp numbers, if any; and page(s) in the hearing transcript on which the exhibit was offered and admitted, if applicable. Courtesy copies of the exhibit lists should be submitted to alj@sec.gov in MS Excel or Word format.
4. By November 9, 2016, the parties shall exchange proposed stipulations of fact with each other.
5. By November 14, 2016, the parties shall file joint stipulations of fact.
6. By November 22, 2016, the parties shall file their opening post-hearing briefs and proposed findings of fact. By agreement of the parties, opening post-hearing briefs may not exceed 20,000 words.

7. By December 22, 2016, the parties shall file their responsive post-hearing briefs and proposed findings of fact. By agreement of the parties, responsive post-hearing briefs may not exceed 16,000 words.
8. The parties proposed findings of facts and responses thereto should follow these guidelines:
 - a. Proposed findings of fact shall be numbered and must be supported by citations to specific portions of the record. Each citation shall be accompanied by quotation(s) of the key language that best supports the proposed finding. If the language is drawn from witness testimony or an expert report, the witness or expert should be identified. If the language is drawn from an exhibit, an abbreviated exhibit description should be included. Each party is requested, but not required, to attach to its proposed findings of fact a timeline that identifies significant events.
 - b. The response to a party's proposed findings of fact shall be numbered, and must reflect those paragraphs as to which there is no dispute. A party's response to findings of fact is not subject to a page limit, but shall be limited to a counterstatement of the factual finding, specifically identifying the language that is disputed, and then supporting that counterstatement by citations and quotation(s) as described above.
 - c. Proposed findings of fact are not subject to a page limit. However, as a best practice, the parties should strive to concisely and clearly set forth the most relevant facts supporting each proposition. Moreover, the purpose of the parties' proposed findings of fact is to adduce, but not argue, the facts that the undersigned should rely on to decide this proceeding. Any proposed finding of fact that contains argument will be stricken. By contrast, the post-hearing briefs should contain all arguments regarding the application of law to fact and arguments regarding all disputed issues.
9. Courtesy copies of post-hearing briefs, proposed findings of fact, and responses should be submitted to alj@sec.gov in both PDF text-searchable format **and** MS Word format.

Jason S. Patil
Administrative Law Judge