

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

ADMINISTRATIVE PROCEEDINGS RULINGS  
Release No. 4697/March 20, 2017

ADMINISTRATIVE PROCEEDING  
File No. 3-17699

In the Matter of

SHERVIN NEMAN and  
NEMAN FINANCIAL, INC.

ORDER ON RESPONDENTS'  
MARCH 15 FILING

On March 15, 2017, the Office of the Secretary received Respondents' filing dated March 4, 2017, requesting forty-five days to respond to the Division of Enforcement's motion for summary disposition and an additional prehearing conference.

With respect to an extension of time, Respondent Shervin Neman explains that there is a delay in receiving mail due to his incarceration, and as a result, Respondents need forty-five days minimum to respond timely. I will GRANT Respondents' request and ORDER that Respondents' opposition to the Division's motion for summary disposition is due by May 22, 2017. The Division may file an optional reply by May 30, 2017. I would like to reassure Respondents that due to Neman's incarceration and the difficulties Neman may have in sending and receiving mail, I will be lenient with his filing due dates and will accept Respondents' filings as timely even if they do not arrive for several days past their due date.

Respondents also request a "copy of the motion as [they] can't find the other copy." Mot. at 1. It is not entirely clear what motion Respondents are referring to. If they are referring to the Division's motion for summary disposition, that has not been filed yet and is due by April 7, 2017. Respondents should receive a copy of that motion several days after it is due, depending on the prison's mail delivery system. If they are referring to the Division's motion for default, which was filed in January, then Respondents need not respond specifically to that motion. If they are referring to the order instituting proceedings (OIP), dated November 29, 2016, Respondents are reminded that they are required to file an answer by March 24, 2017. In an abundance of caution, copies of both the OIP and the Division's motion for default will be sent to Neman along with this order.

Neman also requests clarification regarding something said by the Division during the prehearing conference about "papers." Mot. at 2. The Division was speaking about resolving the proceeding "on the papers," which means that the Division's motion for summary disposition and Respondents' opposition to that motion would be the basis for my initial decision. In other words, the Division wishes to resolve this case without a hearing. As I explained during the

prehearing conference, I will determine whether a hearing is necessary in this case after reviewing Respondents' answer and opposition to the Division's motion for summary disposition.

Finally, Respondents request an additional telephonic prehearing conference. At this point, I DENY Respondents' request as this order resolves Respondents' issues that they raised in their filing. If after receiving this order, as well as the additional copies of the OIP and the Division's motion for default, Respondents still would like an additional prehearing conference, they should file another motion.

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Jason S. Patil  
Administrative Law Judge