

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

Administrative Proceedings Rulings  
Release No. 4992 / August 23, 2017

Administrative Proceeding  
File No. 3-18129

In the Matter of  
**Brian Michael Berger**

**Order Scheduling Hearing and  
Designating Presiding Judge**

IT IS ORDERED that the hearing in this matter commence at 9:30 a.m., Monday, September 18, 2017, in the Commission Headquarters Offices, Hearing Room 2, 100 F Street, N.E., Washington, D.C. 20549.

IT IS FURTHER ORDERED that Administrative Law Judge Carol Fox Foelak preside at the hearing in these proceedings and perform other and related duties in accordance with the Commission's Rules of Practice.

IT IS FURTHER ORDERED that the parties confer and notify the presiding judge of a suggested date and time for a prehearing conference which will be conducted telephonically unless the parties prefer otherwise.

Service of all orders and rulings on parties is made by the Commission's Office of the Secretary, or other duly authorized Commission officer, pursuant to Commission Rule of Practice 141, 17 C.F.R. § 201.141. All issuances by administrative law judges are posted on the Commission's website at <http://www.sec.gov/alj>.

For the Commission, by its Chief Administrative Law Judge, pursuant to delegated authority.

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Brenda P. Murray  
Chief Administrative Law Judge