

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 5402/December 18, 2017

ADMINISTRATIVE PROCEEDING
File No. 3-18250

In the Matter of :
:
MARK MEGALLI : ORDER

The Securities and Exchange Commission instituted this proceeding with an Order Instituting Proceedings on October 12, 2017, pursuant to Sections 15(b) of the Securities Exchange Act of 1934 and 203(f) of the Investment Advisers Act of 1940. The proceeding is a follow-on proceeding based on *SEC v. Megalli*, No. 1:13-cv-3783 (N.D. Ga. Dec. 15, 2015), in which Respondent Mark Megalli was enjoined against violations of the antifraud provisions of the federal securities laws. The parties have filed motions for summary disposition pursuant to 17 C.F.R. § 201.250(b); the due dates for their oppositions and replies are December 29, 2017, and January 16, 2018, respectively. *Mark Megalli*, Admin. Proc. Rulings Release No. 5221, 2017 SEC LEXIS 3539 (A.L.J. Nov. 7, 2017)

The parties' attention is directed to the Commission's November 30, 2017, order concerning administrative proceedings. *Pending Admin. Proc.*, Securities Act Release No. 10440, 2017 SEC LEXIS 3724 (Remand Order). The Remand Order ratifies the appointment of the undersigned as an Administrative Law Judge and directs her to "[r]econsider the record, including all substantive and procedural actions taken by an administrative law judge" in pending proceedings. Examination of the record discloses that the Chief Administrative Law Judge has ratified her designation of the undersigned as the presiding administrative law judge in this proceeding.¹ Pursuant to the Remand Order, any party may submit any new evidence relevant to the undersigned's reexamination of the record by January 5, 2018. If a party submits new evidence, the other party may comment on it by January 19, 2018.

IT IS SO ORDERED.

/S/ Carol Fox Foelak
Carol Fox Foelak
Administrative Law Judge

¹ See *Mark Megalli*, Admin. Proc. Rulings Release No. 5175, 2017 SEC LEXIS 3300 (C.A.L.J. Oct. 16, 2017); *Pending Admin. Proc.*, Admin. Proc. Rulings Release No. 5247, 2017 SEC LEXIS 3780 (C.A.L.J. Dec. 4, 2017) (designating, and ratifying the designation of, the undersigned).