

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

Administrative Proceedings Rulings  
Release No. 5570 / February 6, 2018

Administrative Proceeding  
File No. 3-17883

In the Matters of  
**Warren D. Nadel**

**Order Ratifying Actions**

I held a telephonic conference with the parties yesterday to discuss Respondent Warren D. Nadel's filing pursuant to my order allowing the parties to submit new evidence in accordance with the Commission's order remanding this case to me for reconsideration. *Pending Admin. Proc.*, Securities Act of 1933 Release No. 10440, 2017 SEC LEXIS 3724 (Nov. 30, 2017); *Warren D. Nadel*, Admin. Proc. Rulings Release No. 5330, 2017 SEC LEXIS 3949 (ALJ Dec. 7, 2017).

Nadel's filing seemingly alleged improper ex parte contacts between counsel for the Division of Enforcement and me. However, during the conference it became clear that this allegation was based on a misinterpretation of the opening of the initial decision, which lists "appearances" for the parties. *Warren D. Nadel*, Initial Decision Release No. 1158 (ALJ Aug. 4, 2017), <https://www.sec.gov/alj/aljdec/2017/id1158ce.pdf>. After I explained that term of art, Nadel was satisfied with my and Division counsel's assurances that we had not had any ex parte contacts.

Otherwise, although he argues that I should reconsider some of my prior actions, Nadel does not advance any arguments that he has not raised before. And the parties' submissions contain no new evidence. Having considered

the parties' arguments and scrutinized the record, I have determined that no actions of mine in connection with this proceeding need to be revised.<sup>1</sup>

I RATIFY all prior actions taken by an administrative law judge in this proceeding. The process contemplated by the Commission's November 30 order is complete.

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Cameron Elliot  
Administrative Law Judge

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<sup>1</sup> My designation as the presiding administrative law has already been ratified. *Pending Admin. Proc.*, Admin. Proc. Rulings Release No. 5247, 2017 SEC LEXIS 3780 (ALJ Dec. 4, 2017).