

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

Administrative Proceedings Rulings
Release No. 5606 / February 15, 2018

Administrative Proceeding
File No. 3-17674

In the Matter of
Alexander Kon

Order Regarding Hearing Date

Yesterday, based on the parties' agreement, I rescheduled the hearing to March 15, 2018. *Alexander Kon*, Admin. Proc. Rulings Release No. 5595 (ALJ Feb. 14, 2018). Yesterday evening, Respondent's counsel e-mailed my office to say that Respondent informed him of "an issue with his elderly father that will affect his ability to assist in his defense." Respondent proposes the last week of March or first week of April as new times for a hearing, and represents that counsel for the Division of Enforcement consents. The e-mail does not provide details about the issue, or explain why a two-week postponement would be sufficient to resolve the issue, or explain why Respondent, who earlier objected to holding the hearing during Passover, is now willing to do so.

At this time, I decline to reschedule the hearing again. If the parties wish to reschedule, they should file a joint motion proposing a new date for a hearing, to take place before April 13, 2018, but not including the period from March 23, 2018, through April 2, 2018.

The parties are warned that a party may be found in default for failing to appear at a hearing of which they have been notified. 17 C.F.R. §§ 201.155(a)(1), .310.

Cameron Elliot
Administrative Law Judge