

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

Administrative Proceedings Rulings
Release No. 5987 / September 17, 2018

Administrative Proceeding
File No. 3-17115

In the Matter of

Louis V. Schooler

Order Following Reassignment

This proceeding was assigned to me following the Securities and Exchange Commission's order dated August 22, 2018, which remanded this matter for further proceedings. *Pending Admin. Proc.*, Securities Act of 1933 Release No. 10536, 2018 WL 4003609, at *1; *Pending Admin. Proc.*, Admin. Proc. Rulings Release No. 5955, 2018 SEC LEXIS 2264 (ALJ Sept. 12, 2018). I direct the parties to submit proposals for the conduct of further proceedings by October 9, 2018. The parties should confer and, if possible, submit a joint proposal that reflects any agreement regarding service of the order instituting proceedings (OIP) and addresses the numbered items referenced in 17 C.F.R. § 201.221(c). The joint proposal or, in the absence of a joint proposal, the parties' separate proposals should also include the parties' availability between October 10 and October 19, 2018, for a telephonic prehearing conference. If the Division of Enforcement is unable to contact Respondent, it should submit a notice to that effect by October 9, 2018.

Prior to remand a motion was filed with the Commission by Respondent's counsel offering evidence of Respondent's possible death in a boating incident. Respondent's status has not been determined. If there is evidence of Respondent's whereabouts or death, the parties should submit that evidence. Respondent's counsel may renew his motion for suggestion of death.

In addition, Respondent's counsel sought leave to withdraw in the same motion. Motions to withdraw are self-effectuating if counsel complies with the requirements of Rule of Practice 102(d)(4). 17 C.F.R. § 201.102(d)(4); *see BDO China Dahua CPA Co., Ltd.*, Exchange Act Release No. 72134, 2014 WL 1871077, at *2 (May 9, 2014). Counsel's motion does not appear to have

complied with the rule, which requires service of the notice of withdrawal on the parties. *See BDO China*, 2014 WL 1871077, at *2–4. The parties’ joint or separate proposals should also address counsel’s status.

James E. Grimes
Administrative Law Judge