

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

Administrative Proceedings Rulings  
Release No. 6186 / October 15, 2018

Administrative Proceeding  
File No. 3-17716

In the Matter of

**Robert L. Baker,  
Jacob B. Herrera,  
Michael D. Bowen, and  
Terrence A. Ballard**

**Order Adopting Proposed  
Schedule as to Three  
Respondents**

Following the reassignment of this proceeding to me, the Division of Enforcement and Respondents Robert L. Baker, Jacob B. Herrera, and Michael D. Bowen (the parties) submitted a joint proposal for the conduct of further proceedings, which I ADOPT below with slight modifications:

December 17, 2018:	Parties to exchange and file expert witness disclosures and reports under Rule of Practice 222(b).
January 15, 2019:	Discovery closes.
January 22, 2019:	Motions for summary disposition are due. <sup>1</sup>
February 13, 2019:	Oppositions are due.
February 20, 2019:	Replies are due.
April 3, 2019:	Parties to exchange and file witness lists.

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<sup>1</sup> I grant, for good cause shown, the parties' implicit request for leave to file motions for summary disposition. 17 C.F.R. § 201.250(c). Because the violations alleged—Section 5 of the Securities Act of 1933 and Section 15(a) of the Securities Exchange Act of 1934—do not require proof of scienter, summary disposition may be appropriate.

- April 10, 2019: Parties to exchange and file exhibit lists and to exchange premarked exhibits.
- April 17, 2019: Objections to witnesses and exhibits and motions in limine are due.<sup>2</sup>
- May 6, 2019: A final telephonic prehearing conference will be held at 2 p.m. Eastern.
- May 21, 2019: The hearing will begin at a location to be determined in the Dallas/Fort Worth, Texas, area. The hearing is expected to last three days. My office will secure a hearing location.

The parties have agreed to serve each other by email. However, they must still attend to the required filing with the Office of the Secretary. Electronic courtesy copies of filings should be emailed to [alj@sec.gov](mailto:alj@sec.gov) in both PDF text-searchable format and, when possible, Microsoft Word format. Electronic copies of exhibits should not be combined into a single PDF file, but submitted as separate attachments.

The parties mentioned that they are in settlement discussions. The Office of Administrative Law Judges offers a confidential settlement program in which another administrative law judge would preside over settlement discussions. Should the parties wish to pursue this option, they may file a joint motion for an order designating a settlement judge.

Due to the parties' commendable agreement on all scheduling issues, I see no need to hold a prehearing conference at this time.

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Cameron Elliot  
Administrative Law Judge

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<sup>2</sup> I am not imposing a deadline for the filing of stipulations, although the parties should endeavor to file stipulations by April 24, 2019, as they propose.