

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

Administrative Proceedings Rulings
Release No. 6212 / October 18, 2018

Administrative Proceeding
File No. 3-17645

In the Matter of
Gary C. Snisky

**Order Setting
Briefing Schedule**

Counsel for the Division of Enforcement appeared at yesterday's telephonic prehearing conference, but Respondent Gary C. Snisky, who is incarcerated, did not. The Division represented that it had been in touch with Snisky's case manager and had notified the case manager of the conference, but had not heard from Snisky or his case manager in the last couple of days.

I have reviewed the record of the proceeding from before it was reassigned to me, and determined that Snisky filed an answer to the order instituting this proceeding (OIP) on November 21, 2016. Based on his answer and representations of Division counsel in a motion filed November 16, 2016, I find that Snisky was served with the OIP in November 2016. If Snisky wishes to amend his answer, he must do so by November 1, 2018.

The Division's proposal submitted on October 10, 2018, represents that it completed its production of the investigative file to Snisky on January 18, 2017. *See* 17 C.F.R. § 201.230(a).

I AMEND the briefing schedule for the Division's motion for summary disposition discussed during the prehearing conference as follows:

November 7, 2018:	Motions for summary disposition due.
November 26, 2018:	Oppositions to motions due.
December 6, 2018:	Replies due.

The motion should include legal analysis and evidentiary support for the allegations and requested sanction in accordance with *Rapoport v. SEC*, 682 F.3d 98, 108 (D.C. Cir. 2012), and *Ross Mandell*, Securities Exchange Act of

1934 Release No. 71668, 2014 WL 907416, at *2 (Mar. 7, 2014), *vacated in part on other grounds*, Exchange Act Release No. 77935, 2016 WL 3030883 (May 26, 2016). If the Division wishes to stand on its motion for summary disposition filed February 13, 2017, it shall submit a notice to that effect by November 7.

If Snisky would like to file a motion for summary disposition, he may do so on the same schedule as the Division.

Cameron Elliot
Administrative Law Judge