

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

Administrative Proceedings Rulings
Release No. 6732 / February 14, 2020

Administrative Proceeding
File No. 3-15755

In the Matter of
Mark Feathers

**Order Regarding Subpoena
and Scheduling
Prehearing Conference**

Respondent Mark Feathers submitted a subpoena for documents directed to Roger Boudreau, a former Commission accountant. The Division of Enforcement moved to quash the subpoena on the grounds that it already produced the documents requested, the request is vague and overbroad, and the documents requested are not relevant. The Division also reserved the right to object on the basis of privilege.

Feathers responded to the Division's motion and asked for the opportunity to submit a new, more specific subpoena request. That request is GRANTED. Feathers may submit a new subpoena request by February 19, 2020. The subpoena should be addressed to the Division of Enforcement, Los Angeles Regional Office, rather than Boudreau, who is no longer employed by the Commission. The subpoena should specifically identify the documents or categories of documents sought.

I will hold a telephonic prehearing conference to discuss the new subpoena request and the Division's objections to it on Friday, February 21, 2020, at 1:00 p.m. Eastern / 10:00 a.m. Pacific. The Division should arrange for a dial-in number and court reporter.

Due to the contested nature of this subpoena and the upcoming deadline for motions for summary disposition, the prehearing schedule and presumptive hearing date need to be adjusted. Parties should be prepared to discuss their availability for a new hearing date at next week's prehearing conference. The deadlines for summary disposition will be extended by three weeks. Motions will be due March 10, 2020; oppositions will be due March 17, 2020; and replies

will be due March 20, 2020. The other deadlines will be modified based on the selection of a new hearing date.

Jason S. Patil
Administrative Law Judge