

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

Administrative Proceedings Rulings
Release No. 6777 / July 17, 2020

Administrative Proceeding
File No. 3-15755

In the Matter of
Mark Feathers

**Order Denying Motion to
Terminate Proceeding and
Directing the Refiling of
Summary Disposition Motion**

Respondent Mark Feathers moves to terminate this proceeding because the Division of Enforcement did not follow a prior order. As Feathers correctly observes, Judge Patil's scheduling order of January 15, 2020, included guidelines requiring that a motion for summary disposition be accompanied by a statement of material facts in numbered paragraphs and that the Division serve and file a "Notice to Pro Se Respondent" and the text of certain rules of practice along with its motion.¹ The Division's motion for summary disposition was not accompanied by a statement of material facts, and the Division did not serve Feathers with the required notice. Feathers did not file his own motion per my schedule, but promptly filed a response to the Division's motion.

Because I failed to take note of Judge Patil's order, my order scheduling summary disposition motions did not reference the previous guidelines. Those guidelines are nonetheless still in effect. Accordingly, the Division must refile its motion with the required accompanying materials by July 31, 2020. Feathers's opposition will be due August 14, 2020, and the Division's reply will be due August 24, 2020. Feathers's motion to terminate the proceeding is DENIED. Because this order extends the deadline for his opposition, Feathers's motion for a one-week extension is denied as moot.

James E. Grimes
Administrative Law Judge

Served by e-mail on all participants.

¹ *Mark Feathers*, Admin. Proc. Rulings Release No. 6724, 2020 SEC LEXIS 134, at *3-5 (ALJ).