

UNITED STATES OF AMERICA  
before the  
SECURITIES AND EXCHANGE COMMISSION

SECURITIES ACT OF 1933  
Release No. 9883 / August 7, 2015

SECURITIES EXCHANGE ACT OF 1934  
Release No. 75651 / August 7, 2015

Admin. Proc. File No. 3-15124

In the Matter of  
  
DAVID F. BANDIMERE

ORDER GRANTING MOTION FOR  
SUBMISSION OF ADDITIONAL  
EVIDENCE AND PERMITTING  
SUPPLEMENTAL BRIEFING

On June 11, 2015 respondent moved to submit as additional evidence in this matter the affidavit of Jayne L. Seidman, submitted by the Division of Enforcement in *In the Matter of Timbervest, LLC., et al*, Administrative Proceeding File No. 3-15519, dated June 4, 2015 "establishing that Administrative Law Judge Cameron Elliot was not hired by the Commission as an administrative law judge through a process involving the approval of the individual members of the Commission." The Division does not oppose the motion.

We have determined to grant the motion. We have also determined to allow the parties to file additional briefing to address any issues concerning the newly admitted evidence.

Accordingly, it is ORDERED that respondent's Motion For Submission Of Additional Evidence is granted; and

It is further ORDERED that the parties may each file a supplemental brief, not to exceed ten double-spaced pages by Friday, August 21, 2015, addressing any issues that they believe are relevant for our consideration of the Appointments Clause claim.

For the Commission, by the Office of the General Counsel, pursuant to delegated authority.

Brent J. Fields  
Secretary