

UNITED STATES OF AMERICA  
before the  
SECURITIES AND EXCHANGE COMMISSION  
December 17, 2013

SECURITIES EXCHANGE ACT OF 1934  
Release No. 71099 / December 17, 2013

ADMINISTRATIVE PROCEEDING  
File No. 3-15271

In the Matter of  
TOBY G. SCAMMELL

ORDER  
GRANTING  
PETITION  
FOR REVIEW  
AND SCHEDULING  
BRIEFS

Pursuant to Commission Rule of Practice 411,<sup>1</sup> the petition of Toby G. Scammell, for review of the administrative law judge's initial decision<sup>2</sup> is granted. Pursuant to Rule of Practice 411(d),<sup>3</sup> the Commission will determine what sanctions, if any, are appropriate in this matter.

Accordingly, IT IS ORDERED, pursuant to Rule of Practice 450(a),<sup>4</sup> that a brief in support of the petition for review shall be filed by January 16, 2014. A brief in opposition

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<sup>1</sup> 17 C.F.R. § 201.411.

<sup>2</sup> *Toby G. Scammell*, Initial Decision Rel. No. 516 (Nov. 7, 2013), 107 SEC Docket 11.

<sup>3</sup> 17 C.F.R. § 201.411(d).

<sup>4</sup> 17 C.F.R. § 201.450(a).

shall be filed by February 15, 2014, and any reply brief shall be filed by March 1, 2014.<sup>5</sup> Pursuant to Rule of Practice 180(c),<sup>6</sup> failure to file a brief in support of the petition may result in dismissal of this review proceeding as to that petitioner.

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

Elizabeth M. Murphy  
Secretary

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<sup>5</sup> As provided by Rule of Practice 450(a), no briefs in addition to those specified in this schedule may be filed without leave of the Commission. Attention is called to Rules 150 – 153, 17 C.F.R. §§ 201.150 – 153, with respect to form and service, and Rules of Practice 450(b) and (c), 17 C.F.R. §§ 201.450(b), 201.450(c), with respect to content and length limitations. Requests for extensions of time to file briefs are disfavored.

<sup>6</sup> 17 C.F.R. § 201.180(c).