

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION
January 28, 2014

SECURITIES EXCHANGE ACT OF 1934
Release No. 71432 / January 28, 2014

ADMINISTRATIVE PROCEEDING
File No. 3-15271

In the Matter of

TOBY G. SCAMMELL

ORDER GRANTING
CROSS-PETITION
FOR REVIEW AND
EXTENDING
BRIEFING
SCHEDULE

On December 17, 2013, we issued an order granting Toby G. Scammell's petition for review of the administrative law judge's initial decision,¹ pursuant to Commission Rule of Practice 411,² and ordering that a brief in support of the petition for review be filed by January 16, 2014,³ a brief in opposition be filed by February 15, 2014, and any reply brief be filed by March 1, 2014. But, due to an oversight, the December 17, 2013 order overlooked the fact that the Division of Enforcement had filed a cross-petition for review regarding certain evidentiary issues. Accordingly, pursuant to Rule of Practice 411, we hereby grant the Division's cross-petition for review. We also extend the time periods within which the brief in opposition and reply brief must be filed in order to give the parties an opportunity to address the matters raised in the Division of Enforcement's cross-petition for review.

¹ *Toby G. Scammell*, Initial Decision Rel. No. 516, 2013 WL 5960707 (Nov. 7, 2013).

² 17 C.F.R. § 201.411.

³ Scammell timely filed his brief in support of the petition for review on January 16, 2014.

Accordingly, IT IS ORDERED, pursuant to Rule Practice 411, that the Division of Enforcement's brief in opposition shall be filed by February 25, 2014, and any reply brief shall be filed by March 17, 2014.

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

Elizabeth M. Murphy
Secretary