

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 76097 / October 7, 2015

Admin. Proc. File No. 3-15168

In the Matter of

JOHN J. AESOPH, CPA and
DARREN M. BENNETT, CPA

ORDER GRANTING
MOTION TO SUBMIT
SUPPLEMENTAL
BRIEFING

On October 6, 2015, John J. Aesoph, CPA and Darren M. Bennett, CPA filed a joint motion requesting leave to submit supplemental briefing addressing whether the Commission administrative law judge who presided over this matter was appointed in violation of the Appointments Clause of the U.S. Constitution. We have determined to grant their request.

Accordingly, it is ORDERED that the parties shall file supplemental briefs, not to exceed fifteen double-spaced pages. Respondents brief shall be due by Wednesday, October 21, 2015, and the Division's response brief shall be due by Monday, November 2, 2015. The briefs shall be limited to the issues of whether the Commission's administrative law judges are "inferior officers" within the meaning of the Appointments Clause, and whether their manner of appointment violates the Appointments Clause.

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

Brent J. Fields
Secretary