

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 87507 / November 12, 2019

Admin. Proc. File No. 3-18967

In the Matter of
LBB & ASSOCIATES LTD., LLP,
and
CARLOS LOPEZ, CPA

ORDER

On January 14, 2019, the Commission issued an order instituting administrative proceedings pursuant to Section 4C of the Securities Exchange Act of 1934 and Commission Rule of Practice 102(e)(1)(ii) against LBB & Associates Ltd., LLP, and Carlos Lopez, CPA (collectively, “Respondents”).¹ On April 19, 2019, Respondents and the Division of Enforcement (collectively, the “Parties”) filed a Joint Prehearing Conference Report and Proposed Prehearing Schedule. In their report, the Parties stated that “[m]otions for summary disposition may resolve part or all of the issues in dispute” and, “[a]t the close of fact discovery, the Parties will discuss the possibility of resolving this matter through written summary disposition proceedings based on the evidentiary record, in lieu of an evidentiary hearing.”

On May 7, 2019, the Commission set forth a prehearing schedule and ordered the Parties to file a status report within 30 days of the October 31, 2019 deadline for fact discovery advising the Commission about the status of their settlement discussions, their discussions regarding resolving the matter through written summary disposition proceedings, and any proposed modifications to the prehearing schedule as a result.² On October 29, 2019, the Parties filed a joint motion to amend the prehearing schedule. In doing so, the Parties represented that, among other things, their proposed amendment “would afford both Parties additional, necessary time to

¹ *LBB & Assocs. Ltd., LLP*, Exchange Act Release No. 84983, 2019 WL 181553 (Jan. 14, 2019).

² *LBB & Assocs. Ltd., LLP*, Exchange Act Release No. 85796, 2019 WL 2005646, at *2 (May 7, 2019).

conduct expert discovery,” “to prepare for the hearing,” and to provide the Parties “further time to discuss potential resolution of this matter.”

Based on these representations, it appears appropriate to amend the prehearing schedule. It also appears that the Commission would benefit from further briefing about the Parties’ discussions regarding resolving the matter through written summary disposition and whether the prehearing schedule should be further modified to account for merits briefing on that topic.

Accordingly, it is ORDERED, based on the Parties’ representations, that the Parties adhere to the following procedural schedule:

January 24, 2020	Parties to file and exchange expert reports
February 7, 2020	Parties to file and exchange rebuttal expert reports
February 21, 2020	Deadline for expert deposition discovery
February 28, 2020	Parties to file witness and exhibit lists, and exchange copies of pre-marked exhibits Parties to file any evidentiary motions and motions to exclude or limit experts
March 13, 2020	Parties to file objections to witness and exhibit lists Parties to file oppositions to evidentiary and expert motions
March 20, 2020	Parties to file prehearing briefs and stipulations Parties to file replies to evidentiary and expert motions
March 31, 2020	Final prehearing conference, at 11:00 a.m. EST
April 6, 2020	Hearing commences at a time and location to be determined

It is further ORDERED that the Parties file a status report with the Office of the Secretary by November 19, 2019, advising the Commission about their discussions regarding resolving the matter through written summary disposition proceedings and any proposed modifications to this prehearing schedule as a result.

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

Vanessa A. Countryman
Secretary