

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 1057/ November 20, 2013

ADMINISTRATIVE PROCEEDING
File No. 3-15544

In the Matter of

CHINA RUITAI INTERNATIONAL
HOLDINGS CO., LTD., DIAN MIN MA,
GANG MA, AND JIN TIAN

ORDER FINDING CHINA RUITAI
INTERNATIONAL HOLDINGS CO., LTD.,
IN DEFAULT AND DIRECTING
MOTION FOR SANCTIONS

On September 30, 2013, the Securities and Exchange Commission (Commission) issued an Order Instituting Administrative and Cease-and-Desist Proceedings (OIP) against Respondents China Ruitai International Holdings Co., Ltd. (China Ruitai), Dian Min Ma, Gang Ma, and Jin Tian (Individual Respondents), pursuant to Sections 4C and 21C of the Securities Exchange Act of 1934 and Rule 102(e)(1)(iii) of the Commission's Rules of Practice.

I held a telephonic prehearing conference on October 29, 2013, to address whether service of the OIP was effective on China Ruitai. The Division of Enforcement (Division) attended the prehearing conference, but China Ruitai did not. Based on the Division's evidence and representation at the prehearing conference, I found that China Ruitai was served with the OIP on October 11, 2013, in accordance with Rule 141(a)(2)(ii) of the Commission's Rules of Practice, 17 C.F.R. § 201.141(a)(2)(ii).¹ See China Ruitai Int'l Holdings Co., Admin. Proc. Rulings Release No. 1011 (Oct. 30, 2013), at 1. Out of an abundance of caution, I deemed China Ruitai's Answer due by November 4, 2013, in this proceeding. Id. at 2. I ordered China Ruitai—if it failed to file an Answer by November 4, 2013—to show cause on or before November 14, 2013, why this proceeding should not be determined against it due to the failure to file an Answer, appear at the prehearing conference, or otherwise defend this proceeding. Id.

¹ At the prehearing conference, the Division confirmed that it is in the process of effecting service on the Individual Respondents under the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents. Prehr'g Tr. at 3-4.

To date, China Ruitai has not answered the OIP or shown cause. Accordingly, pursuant to Rule 155(a) of the Commission's Rules of Practice, I find China Ruitai in default.² 17 C.F.R. §§ 201.155(a)(1)-(2), .220(f), .221(f).

It is ORDERED that the Division shall file a motion for sanctions by Friday, December 13, 2013. The motion shall provide legal authority and evidentiary support relating to the OIP's allegations and the Division's requested sanctions, in accordance with Rapoport v. SEC, 682 F.3d 98 (D.C. Cir. 2012).

Cameron Elliot
Administrative Law Judge

² China Ruitai is notified that it may move to set aside the default pursuant to Rule 155(b) of the Commission's Rules of Practice:

A motion to set aside a default shall be made within a reasonable time, state the reasons for the failure to appear or defend, and specify the nature of the proposed defense in the proceeding. In order to prevent injustice and on such conditions as may be appropriate, the hearing officer, at any time prior to the filing of the initial decision, or the Commission, at any time, may for good cause shown set aside a default.

17 C.F.R. § 201.155(b).