

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

ADMINISTRATIVE PROCEEDINGS RULINGS  
Release No. 1318/March 20, 2014

ADMINISTRATIVE PROCEEDING  
File No. 3-15737

In the Matter of

THOMAS C. GONNELLA

ORDER SETTING PREHEARING  
SCHEDULE

The Securities and Exchange Commission instituted this proceeding with an Order Instituting Administrative and Cease-and-Desist Proceedings (OIP) against Thomas C. Gonnella (Gonnella), pursuant to Section 8A of the Securities Act of 1933 (Securities Act), Sections 15(b) and 21C of the Securities Exchange Act of 1934 (Exchange Act), Section 203(f) of the Investment Advisers Act of 1940, and Section 9(b) of the Investment Company Act of 1940, on February 4, 2014. Gonnella was served with the OIP on February 7, 2014. Thomas C. Gonnella, Admin. Proc. Rulings Release No. 1269, 2014 SEC LEXIS 659 (Feb. 25, 2014). His answer is due by March 31, 2014. Thomas C. Gonnella, Admin. Proc. Rulings Release No. 1304, 2014 SEC LEXIS 914 (Mar. 13, 2014); see 17 C.F.R. §§ 201.155(a)(2), .220(f).

A telephonic prehearing conference was held yesterday, attended by the Division of Enforcement and Gonnella's counsel. At the prehearing conference, Gonnella waived his right to a hearing occurring between thirty and sixty days after service of notice instituting proceedings under the relevant provisions of the Securities and Exchange Acts. See 15 U.S.C. §§ 77h-1(b), 78u-3(b). The following procedural schedule was established:

- June 2, 2014: The parties shall exchange and file (and provide this Office with) witness lists, exhibits lists, and expert reports;
- June 9, 2014: The parties shall exchange (but should not file) pre-marked exhibits;
- June 16, 2014: The parties shall file prehearing briefs,<sup>1</sup> any motions in limine, and any objections to exhibits and witnesses;

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<sup>1</sup> The parties shall file prehearing briefs in lieu of giving opening statements at the hearing.

June 23, 2014: The parties shall file any written stipulations and participate in a final telephonic prehearing conference at 10:00 a.m. EDT;

June 30, 2014: The hearing will commence at a location to be determined in New York, New York.

The parties are reminded that they must file hard copies of all filings with the Office of the Secretary, but are also encouraged to send each other – and this Office, when applicable – electronic copies, via e-mail, of materials to be filed and exchanged.

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Cameron Elliot  
Administrative Law Judge