

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

ADMINISTRATIVE PROCEEDINGS RULINGS

Release No. 1370/April 9, 2014

ADMINISTRATIVE PROCEEDING

File No. 3-15799

In the Matter of

MICHAEL D. MONTGOMERY

ORDER SCHEDULING PREHEARING  
CONFERENCE

On March 18, 2014, the Securities and Exchange Commission issued an Order Instituting Administrative Proceedings (OIP) pursuant to Section 15(b) of the Securities Exchange Act of 1934 and Section 203(f) of the Investment Advisers Act of 1940, alleging that Michael D. Montgomery (Montgomery) was convicted of wire fraud and filing a false tax return in United States v. Montgomery, No. 3:11-CR-5156-RJB (W.D. Wash. Dec. 27, 2012). The OIP further alleges that Montgomery was sentenced to a prison term of sixty months followed by three years of supervised release, and ordered to make restitution in the amount of \$995,811. In a communication to my Office yesterday, the Division of Enforcement stated that it had made arrangements with FCI Englewood for Montgomery to participate in a telephonic prehearing conference on Thursday, April 10, 2014, at 11:00 a.m. EDT.

**Ruling**

Based on the above, I ORDER a telephonic prehearing conference on April 10, 2014, at 11:00 a.m. EDT (9:00 a.m. MDT).

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Brenda P. Murray  
Chief Administrative Law Judge