

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 1492/June 5, 2014

ADMINISTRATIVE PROCEEDING
File No. 3-15864

In the Matter of

IMAGING DIAGNOSTIC SYSTEMS, INC.

ORDER FOLLOWING PREHEARING
CONFERENCE

The Securities and Exchange Commission (Commission) issued an Order Instituting Proceedings on May 8, 2014, pursuant to Section 12(j) of the Securities Exchange Act of 1934 (Exchange Act). Imaging Diagnostic Systems, Inc. (Imaging Diagnostic), filed its Answer on May 27, 2014.¹ In its Answer, Imaging Diagnostic admits that it is delinquent in its periodic reports, but states that it is in the process of privately raising capital, which will allow it to complete the delinquent reports and file timely reports going forward. Imaging Diagnostic insists that acquiring private capital is a real possibility, that it expects to file past-due periodic reports “within the next three months,” and that revocation of its registered securities would not be in the public interest. Answer at 1.

I held a prehearing conference on June 2, 2014, at which I explained that, on these facts, to avoid revocation of its registered securities, Imaging Diagnostic would have to distinguish itself from the company in Absolute Potential, Inc., Exchange Act Release No. 71866, 2014 SEC LEXIS 1193 (Apr. 4, 2014) (Commission held that registration of securities should be revoked despite company’s having filed all past-due reports after institution of administrative proceeding). I ordered the following procedural schedule, to which the parties agreed.

- June 20, 2014: The Division of Enforcement (Division) files a motion for summary disposition;
- July 3, 2014: Imaging Diagnostic files a brief in opposition; and
- July 18, 2014: The Division files its brief in reply, if any.

Brenda P. Murray
Chief Administrative Law Judge

¹ This Office uses the filing date that appears in the Administrative Proceedings Tracking System of the Commission’s Office of the Secretary. The Answer is dated May 23, 2014.