

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 1602/July 10, 2014

ADMINISTRATIVE PROCEEDING
File No. 3-15045

In the Matter of

DAVID MURA

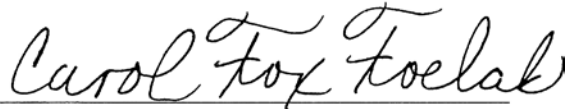
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PREHEARING ORDER

The Securities and Exchange Commission (Commission) instituted this proceeding with an Order Instituting Proceedings on September 24, 2012, pursuant to Sections 15(b) and 21C of the Securities Exchange Act of 1934. An Initial Decision was issued on June 14, 2013. David Mura, Initial Decision Release No. 491, 2013 SEC LEXIS 1700 (A.L.J. June 14, 2013). Thereafter, the Commission vacated the Initial Decision and remanded the case for further proceedings. David Mura, Exchange Act Release No. 72080, 2014 SEC LEXIS 1530 (May 2, 2014). A second prehearing conference was held yesterday. Respondent David Mura (Mura) and the Division of Enforcement (Division) appeared.

The hearing has been scheduled to commence on September 8, 2014, in Rochester, New York.¹ However, the parties have agreed on a bifurcated process in which Mura and the Division will enter a settlement as to remedies that the Division can recommend favorably to the Commission, leaving open the question of monetary sanctions.² Mura will execute the settlement papers within the next two weeks. A third telephonic prehearing conference will be held on July 23, 2014, at 3:00 p.m. EDT. If Mura has executed the settlement papers, it is anticipated that the scheduled hearing will be postponed.

IT IS SO ORDERED.



Carol Fox Foelak
Administrative Law Judge

¹ Mura will file his witness list by July 25, 2014.

² Thereafter, in the second phase of the process, it is expected that Mura will argue that he is unable to pay any monetary penalties, pursuant to 17 C.F.R. § 201.630 including Form D-A (17 C.F.R. § 209.1) associated with that rule.