

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 1714/August 20, 2014

ADMINISTRATIVE PROCEEDING
File No. 3-16008

In the Matter of

CRUCIBLE CAPITAL GROUP, INC., and
CHARLES MOORE

ORDER GRANTING
APPLICATION TO
INTERVENE AND MOTION
TO STAY

This proceeding against Respondents was commenced on August 8, 2014, with an Order Instituting Proceedings (OIP). The Division of Enforcement alleges that broker-dealer Crucible Capital willfully violated, and its owner Charles Moore willfully aided and abetted and caused violations of, minimum net capital and books and records requirements, under Sections 15(c)(3) and 17(a)(1) of the Securities Exchange Act of 1934 and related rules.

On August 18, 2014, the U.S. Attorney for the Southern District of New York filed an Application to Intervene and Motion to Stay with a supporting memorandum of law. The Application and Motion represents that the OIP and the criminal proceeding against Mr. Moore, *United States v. Moore*, No. 1:14-MJ-1739 (S.D.N.Y.), share common allegations and questions of fact and law, and that staying this proceeding will avoid substantially prejudicing the criminal proceeding and hindering the enforcement of the securities laws at issue.¹ The memorandum argues that the public interest supports a stay in this matter.

The Securities and Exchange Commission's Rules of Practice provide that a representative of a U.S. Attorney's Office may be granted leave to participate in a proceeding "for the purpose of requesting a stay during the pendency of a criminal investigation or prosecution arising out of the same or similar facts that are at issue in the pending Commission enforcement or disciplinary proceeding," and that "[u]pon a showing that . . . a stay is in the public interest or for the protection of investors, [a] motion for stay shall be favored." 17 C.F.R. § 201.210(c)(3).

¹ It more specifically says that "the OIP and the criminal proceeding focus on the same conduct, and the same witnesses, documents, and other evidence will be germane to both proceedings." Application and Motion at 2.

Accordingly, it is ORDERED that the U.S. Attorney's Application to Intervene is GRANTED, the U.S. Attorney's Motion to Stay is GRANTED, and this proceeding is STAYED pending resolution of *United States v. Moore*, No. 1:14-MJ-1739 (S.D.N.Y.). A telephonic prehearing conference will be scheduled for December 5, 2014, at 11:30 a.m. EST; however, if the U.S. Attorney files a written notice before that date, asking that the stay remain in effect and providing reasons for the stay to remain in effect, the telephonic prehearing conference will be canceled.

James E. Grimes
Administrative Law Judge