

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 1915/October 17, 2014

ADMINISTRATIVE PROCEEDING
File No. 3-16175

In the Matter of

KENNETH C. MEISSNER,
JAMES DOUG SCOTT, and
MARK S. "MIKE" TOMICH

ORDER POSTPONING HEARING,
SCHEDULING PREHEARING
CONFERENCE, AND EXTENDING TIME
TO FILE ANSWER

The Securities and Exchange Commission (Commission) commenced this proceeding on September 25, 2014, with an Order Instituting Administrative and Cease-and-Desist Proceedings (OIP) pursuant to Sections 15(b) and 21C of the Securities Exchange Act of 1934 and Section 9(b) of the Investment Company Act of 1940. A hearing is scheduled to commence on November 3, 2014.

On October 16, 2014, the Division of Enforcement (Division) filed a Motion for Adjournment of Hearing, Request for Prehearing Conference and Extension of Date to Answer (Motion). The Division states that both the Division and Respondents would like to adjourn the November 3, 2014, hearing date and convert the hearing to a prehearing conference. Motion at 2. In support of the Motion, the Division states that a prehearing conference will allow the parties to discuss settlement and simplification of the issues to be addressed at the hearing and will allow the establishment of an orderly and efficient prehearing schedule, including scheduling a mutually acceptable date for the hearing. *Id.* The Division also states that Respondents request an extension to file answers to November 17, 2014, which will allow them to pursue settlement discussions and devote their resources to resolving the case without a hearing. *Id.* Because the parties have agreed upon this Motion, I will grant it.

Accordingly, it is ORDERED that the hearing scheduled for November 3, 2014, be POSTPONED *sine die*, and a telephonic prehearing conference shall be held on November 3, 2014, at 10:30 a.m. EST.

It is further ORDERED that Respondents shall file their answers by November 17, 2014.

Cameron Elliot
Administrative Law Judge