

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

ADMINISTRATIVE PROCEEDINGS RULINGS  
Release No. 2279/February 3, 2015

ADMINISTRATIVE PROCEEDING  
File No. 3-15918

In the Matter of

DENNIS J. MALOUF

ORDER

On January 2, 2015, third party UASNM, Inc., filed a Motion for Contempt and for Sanctions (Motion) against Respondent, requesting that I find Respondent in contempt for failing to pay \$2,475.00 of the \$14,479.21 he had been ordered to pay, and order Respondent to pay additional attorney's fees of \$500 incurred filing the Motion and the balance of all attorney's fees and costs incurred by UASNM totaling \$51,356.39. Motion at 3.

On January 9, 2015, I ordered that by January 30, 2015, Respondent file proof of payment to UASNM of \$2,475.00 to reimburse it for select costs of subpoena compliance. *Dennis J. Malouf*, Admin. Proc. Rulings Release No. 2200, 2015 SEC LEXIS 91. Respondent failed to file proof of such payment, but instead waived his claim of that amount of a disputed escrow account that is the subject of litigation in state court.

In light of Respondent's failure to make payment by the court ordered deadline, I GRANT IN PART UASNM's Motion and award the additional sum of \$500 to cover UASNM's cost in litigating Respondent's failure to reimburse them. Respondent is now ORDERED to pay UASNM \$2,975.00.

If the state court finds that Respondent is entitled to some of the funds in the escrow account, Respondent is ORDERED to pay UASNM \$2,975.00 from the account. If funds are not available, Respondent remains under an obligation to pay \$2,975.00. Respondent is reminded that he agreed in advance to bear additional reasonable costs up to \$20,000, a figure well above the \$14,479.21 I ordered him to pay. *See Dennis J. Malouf*, Admin. Proc. Rulings Release No. 1951A, 2014 SEC LEXIS 4168 (Oct. 28, 2014).

The parties shall not file anything further on this issue until after the state court resolves the dispute.

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Jason S. Patil  
Administrative Law Judge