

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

ADMINISTRATIVE PROCEEDINGS RULINGS  
Release No. 2678/May 15, 2015

ADMINISTRATIVE PROCEEDING  
File No. 3-16491

In the Matter of  
  
ERIC W. JOHNSON

ORDER POSTPONING HEARING  
AND SCHEDULING PREHEARING  
CONFERENCE

The Securities and Exchange Commission (Commission) issued an Order Instituting Administrative Proceedings (OIP) on April 15, 2015, pursuant to Section 15(b) of the Securities Exchange Act of 1934 and Section 203(f) of the Investment Advisers Act of 1940. A hearing is scheduled for May 18, 2015. On May 14, 2015, the Division of Enforcement (Division) filed its Motion to Postpone the Hearing Date and Schedule a Telephonic Prehearing Conference (Motion). The Division represents that Respondent was served with the OIP, and requests a postponement of the May 18, 2015, hearing and for a prehearing conference to be scheduled during the week of June 1, 2015. Motion at 2. According to the Division, Respondent's counsel failed to appear and to respond to pleadings in the civil proceeding, which resulted in a default judgment.

The Commission's files and usps.com tracking information show that on April 20, 2015, Respondent's counsel from the underlying civil proceeding received the OIP sent to him personally and the OIP sent to the Respondent c/o Thomas M. Leinenweber, Esq. However, counsel has not filed a notice of representation in this proceeding, and it is unclear whether he is authorized to accept service on Respondent's behalf.

I GRANT the Division's Motion and POSTPONE the hearing scheduled to begin on May 18, 2015. I ORDER that a prehearing conference be held on June 2, 2015, at 10:00 a.m. EDT. At the prehearing conference, the Division needs to establish that Respondent has been served with the OIP. Respondent is on notice that if it established that he has been served, I will default him if he does not file an answer, participate in the prehearing conference or otherwise defend the proceeding. See OIP at 3; 17 C.F.R. §§ 201.155(a), .220(f), .221(f).

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Brenda P. Murray  
Chief Administrative Law Judge