

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 3045/August 17, 2015

ADMINISTRATIVE PROCEEDING
File No. 3-16498

In the Matter of

RUSSELL C. SCHALK, JR.

PROTECTIVE ORDER

The Securities and Exchange Commission issued an Order Instituting Administrative and Cease-and-Desist Proceedings (OIP) in this matter on April 17, 2015. On August 12, 2015, Russell C. Schalk, Jr., filed his Form D-A with Attachments A-J and requested a protective order pursuant to Commission Rule of Practice 322, 17 C.F.R. § 201.322.

Rule 322(b) provides that “[d]ocuments and testimony introduced in a public hearing are presumed to be public. A motion for a protective order shall be granted only upon a finding that the harm resulting from disclosure would outweigh the benefits of disclosure.” 17 C.F.R. § 201.322(b). Mr. Schalk’s Form D-A and the attachments, consisting mostly of past tax returns filed with the Internal Revenue Service, contain detailed personal financial information. I find that the harm resulting from disclosure of this information outweighs the benefits of disclosure and GRANT Mr. Schalk’s request for a protective order of his Form D-A and Attachments A-J.

James E. Grimes
Administrative Law Judge