

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

ADMINISTRATIVE PROCEEDINGS RULINGS

Release No. 3220/October 13, 2015

ADMINISTRATIVE PROCEEDING

File No. 3-16433

In the Matter of

ALBERT J. SCIPIONE

ORDER LIFTING STAY AND
SCHEDULING RENEWED MOTIONS
FOR SUMMARY DISPOSITION

On March 12, 2015, the Securities and Exchange Commission issued an Order Instituting Administrative Proceedings against Albert J. Scipione. On June 5, 2015, the Division of Enforcement filed an amended motion for default and summary disposition. On June 30, 2015, I denied the Division's motion, finding that it failed to establish certain elements required in order to impose an industry and penny stock bar. *Albert J. Scipione*, Admin. Proc. Rulings Release No. 2883, 2015 SEC LEXIS 2687. On July 8, 2015, the Division filed a motion for leave to file a renewed motion for summary disposition.

On August 24, 2015, I granted a motion to stay these proceedings, conditioned on the submission of a signed offer of settlement to the Commission by September 16, 2015. *Albert J. Scipione*, Admin. Proc. Rulings Release No. 3062, 2015 SEC LEXIS 3461. On September 16, 2015, I granted the Division's request to extend the deadline for submitting the settlement offer to October 7, 2015. *Albert J. Scipione*, Admin. Proc. Rulings Release No. 3140, 2015 SEC LEXIS 3810. On October 8, 2015, citing Respondent's apparent failure to sign the settlement offer, the Division requested that I lift the stay in this proceeding and grant leave for it to file a renewed motion for summary disposition.

The Division's motion to lift the stay and file a renewed motion for summary disposition is GRANTED. I ORDER the following briefing schedule:

October 27, 2015: Renewed motions for summary disposition are due.
November 10, 2015: Oppositions are due.
November 17, 2015: Replies, if any, are due.

Electronic courtesy copies should be emailed to ALJ@sec.gov in PDF text-searchable format. Electronic copies of exhibits should not be combined into a single PDF file, but sent as separate attachments.

Brenda P. Murray
Chief Administrative Law Judge