

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 3280 / November 2, 2015

ADMINISTRATIVE PROCEEDING
File No. 3-16888

In the Matter of

PHILLIP CORY ROBERTS, and
BAY PEAK, LLC

ORDER FOLLOWING PREHEARING
CONFERENCE AND SETTING HEARING DATE
AND LOCATION

On October 7, 2015, the Securities and Exchange Commission issued an Order Instituting Administrative and Cease-And-Desist Proceedings (OIP). On October 21, I postponed *sine die* the hearing date, originally set for November 16, and directed the parties to hold an initial prehearing conference without the hearing officer. Respondents submitted a motion to restore the hearing date to November 16. I then scheduled a telephonic prehearing conference on October 30, which was attended by counsel for both the Division of Enforcement and Respondents.

At the prehearing conference, Respondents asserted their right to a hearing commencing between thirty and sixty days from service of the OIP. *See* OIP at 17-18; *see* 15 U.S.C. § 78u-3(b).

Accordingly, the hearing will commence on November 16, 2015, at 9:30 a.m. EST in Hearing Room 2 at the Commission's Headquarters, 100 F Street, N.E., Washington, D.C. 20549. By November 6, the parties shall submit a proposed prehearing procedural schedule. By November 12, the parties shall email my Office at alj@sec.gov with the names of all known attendees, including counsel.

SO ORDERED.

Cameron Elliot
Administrative Law Judge