

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 3380 / December 8, 2015

ADMINISTRATIVE PROCEEDING
File No. 3-16888

In the Matter of

PHILLIP CORY ROBERTS, and
BAY PEAK, LLC

SECOND STAY ORDER

On November 12, 2015, I granted the parties' joint motion to stay this proceeding based upon the parties' agreement in principle to a settlement that would resolve the proceeding on all major terms.

Yesterday, the parties informed my office that the stay had lapsed because a signed offer of settlement had not been submitted in accordance with Rule of Practice 161(c)(2), 17 C.F.R. § 201.161(c)(2). Nonetheless, the parties jointly move for a renewed stay, representing that their agreement to a settlement remains intact and that the Division of Enforcement has sent Respondents' counsel the required documentation for a signed offer.

The motion is GRANTED and this proceeding is again STAYED, subject to compliance with Rule of Practice 161(c)(2), requiring that my office be notified promptly if any of the requirements of the rule are not met.

Jason S. Patil
Administrative Law Judge