

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 3685/March 8, 2016

ADMINISTRATIVE PROCEEDING
File No. 3-17070

In the Matter of

3C ADVISORS & ASSOCIATES, INC.,
STEPHEN JONES, AND
DAVID PROLMAN

PROTECTIVE ORDER

Respondents and the Division of Enforcement have submitted stipulated proposed protective orders covering documents in the Division's investigative file containing personally identifiable or sensitive financial information. I construe these filings as joint motions for entry of a protective order. I find that the harm resulting from the public disclosure of such information would outweigh any benefit of disclosure. *See* 17 C.F.R. § 201.322(b). Accordingly, the motions are GRANTED in part, as set forth below:

1. If the Division's investigative file in this matter includes documents that contain personally identifiable or sensitive financial information (confidential documents), the parties shall maintain the confidentiality of such confidential documents and not disclose them or the information contained therein to the public or third parties. Personally identifiable or sensitive financial information includes: a social security or taxpayer identification number; financial account number, including bank account, brokerage account, and investment account information; credit card or debit card number; passport number; driver's license number; state-issued identification number; home address or home telephone number of an individual; the name of any individual person known to be less than 18 years old; dates of birth; and any sensitive information concerning financial condition or medical history. It does not include the last four digits of a social security number, financial account number, or phone number; the city and state of an individual's home address; the year of an individual's birth; the minor's and mother's maiden name initials; or copies of unredacted filings by regulated entities or registrants that are available on the Commission's public website.

2. So long as the confidentiality is maintained, the confidential documents may be disclosed to the parties to this proceeding, legal counsel, and any trial teams, including experts and contractors; the undersigned; and the Securities and Exchange Commission and its employees, staff, and agents.

3. The parties shall take reasonable and appropriate measures to prevent unauthorized disclosure of the personally identifiable or sensitive financial information.

4. All persons who receive access to the confidential documents shall keep the information contained therein confidential, and shall not divulge such information to any person except as expressly authorized by this protective order or further order.

5. If a party intends to file the confidential documents in this proceeding or any appeal therefrom, the party must: a) file a version clearly labeled “under seal” pursuant to this protective order; and b) file a public, redacted version removing all personally identifiable or sensitive financial information. If filing a public, redacted version is impracticable or would result in a filing being almost entirely redacted, then the party shall file only the “under seal” filing, together with a copy of this protective order. In addition, if a party intends to make a filing (such as a brief or motion) that incorporates personally identifiable or sensitive financial information in the written text, the party must: 1) file a version clearly labeled “under seal,” with the information subject to this protective order noted by brackets, bold typeface, or some other clear indication; and 2) file a public, redacted version that removes the information.

6. This protective order does not encompass documents that Respondents did not obtain from the Division’s investigative file, such as documents that were already in their possession or documents that they obtained on their own. However, if such documents contain personally identifiable or sensitive financial information, and Respondents intend to file them in this administrative proceeding, they should file them in accordance with paragraph 5 of this order.

7. If material in the investigative file does not contain personally identifiable or sensitive financial information, but a party believes it should be considered confidential and subject to a protective order, that party must file a motion in accordance with Rule of Practice 322. *See* 17 C.F.R. § 201.322(a).

8. Any person requesting relief from, or modification of, this protective order may file an appropriate motion.

SO ORDERED.

Cameron Elliot
Administrative Law Judge