

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

ADMINISTRATIVE PROCEEDINGS RULINGS  
Release No. 4236/October 7, 2016

ADMINISTRATIVE PROCEEDING  
File No. 3-17565

In the Matter of

CAPITAL PREFERRED YIELD FUND-III, LP,  
CLEARLY CANADIAN BEVERAGE CORP., and  
DIVERSINET CORP.

ORDER POSTPONING HEARING  
AND SCHEDULING  
PREHEARING CONFERENCE

On September 22, 2016, the Securities and Exchange Commission issued an order instituting proceedings (OIP) against Respondents pursuant to Section 12(j) of the Securities Exchange Act of 1934, alleging that Respondents have securities registered with the Commission and are delinquent in their periodic filings. A hearing is scheduled for October 11, 2016.

On September 29, 2016, the Division of Enforcement filed a declaration of service establishing that the OIP was served on Respondents by September 28, 2016, in accordance with 17 C.F.R. § 201.141(a)(2). Respondents' answers are therefore due by October 11, 2016. OIP at 3; *see* 17 C.F.R. § 201.160(a)-(b), .220(b). If Respondents do not file timely answers or otherwise defend the proceeding, they will be deemed in default, the proceeding will be determined against them, and the registrations of their securities will be revoked. OIP at 3; 17 C.F.R. § 201.155(a)(2), .220(f).

I ORDER that the hearing scheduled for October 11, 2016, is POSTPONED, and that a telephonic prehearing conference shall be held on November 14, 2016, at 2:00 p.m. Eastern, if the proceeding has not been resolved by then.

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Cameron Elliot  
Administrative Law Judge