

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 4405/December 1, 2016

ADMINISTRATIVE PROCEEDING
File No. 3-17657

In the Matter of
GREGORY J. SMITH

ORDER DIRECTING PARTIES
TO HOLD A PREHEARING
CONFERENCE

On November 1, 2016, the Securities and Exchange Commission issued an order instituting proceedings (OIP) in this matter. A hearing is currently scheduled for December 12, 2016, at Commission headquarters in Washington, D.C. On November 28, 2016, the Division of Enforcement filed a motion to continue hearing and schedule a telephonic prehearing conference on December 8, 9, 12, or 13. As set forth below, the Division's motion to continue is granted in part.

I ORDER as follows:

1. Each party must file with the Commission, and keep current, a notice of appearance in accordance with Rule of Practice 102, 17 C.F.R. § 201.102.
2. The hearing scheduled for December 12, 2016, is postponed.
3. By December 8, 2016, the parties shall hold an initial prehearing conference without the hearing officer to discuss each numbered item in Rule of Practice 221(c), 17 C.F.R. § 201.221(c).¹ By December 12, 2016, the parties shall file a joint prehearing conference statement reflecting the results of their conference. That statement must:

(A) reflect the agreed date of service of the OIP and the basis therefor, and an agreed due date for Respondent's answer, including sufficient justification for any extension;

1. The Rules of Practice are available online at <https://www.sec.gov/about/rules-of-practice-2016.pdf>. General instructions for Respondents, including the mailing address for filings, are available online at <http://www.sec.gov/alj/alj-instructions-for-respondents.pdf>.

(B) address each numbered item in Rule of Practice 221(c), and include proposed due dates where applicable (the parties may denote that an item is “not applicable” in their filing);

(C) propose a procedural schedule; and

(D) address the date(s), potential location, such as Los Angeles,² and the length of any hearing.

Based on the prehearing statement, a subsequent prehearing conference with the hearing officer will be scheduled if appropriate.

The parties should email courtesy copies of any filings in this proceeding in PDF text-searchable format and, when possible, in Word format, to alj@sec.gov. Email, however, is not a substitute for the required filing with the Secretary of the Commission.

Jason S. Patil
Administrative Law Judge

2. The hearing location “shall be fixed with due regard for the public interest and the convenience and necessity of the parties, other participants, or their representatives.” Rule of Practice 200(c), 17 C.F.R. § 201.200(c).