

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 4406 / December 1, 2016

ADMINISTRATIVE PROCEEDING
File No. 3-17387

In the Matter of

DONALD F. (“JAY”) LATHEN, JR.,
EDEN ARC CAPITAL MANAGEMENT, LLC, and
EDEN ARC CAPITAL ADVISORS, LLC

SECOND ORDER REVISING
PROCEDURAL SCHEDULE
AND HEARING DATE

Following consultation with the parties, I ORDER the following revised schedule for the remaining prehearing steps and hearing date:

- December 12, 2016: Rebuttal expert reports are due. Parties exchange and file witness lists. Parties exchange exhibit lists and exchange exhibits (other than hearing demonstratives).
- January 11, 2017: Motions in limine and objections to exhibits and witnesses are due.
- January 18, 2017: Oppositions to motions in limine and responses to objections to exhibits and witnesses are due.
- January 20, 2017: Prehearing briefs are due.
- January 25, 2017: Final telephonic prehearing conference at 4:30 p.m. EST.
- January 30, 2017: The hearing will begin at 9:30 a.m. EST in Courtroom 519 at the Thurgood Marshall U.S. Courthouse, 40 Foley Square, New York, New York 10007.

Jason S. Patil
Administrative Law Judge