

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 671 / April 25, 2011

ADMINISTRATIVE PROCEEDING
FILE NO. 3-14038

In the Matter of

KENNETH BRUCE BAKER	:	ORDER DISCONTINUING PROCEEDING
	:	WITHOUT PREJUDICE

The Securities and Exchange Commission (Commission) issued its Order Instituting Proceedings (OIP) on September 8, 2010. This proceeding is pending before an Administrative Law Judge. On April 22, 2011, I received from the Division of Enforcement (Division) a Motion Pursuant to 17 C.F.R. § 200.30-10(a)(8) Requesting that the Chief Administrative Law Judge Discontinue This Administrative Proceeding Without Prejudice as the Respondent Cannot Be Found (Motion).

The Motion represents that the Office of the Secretary (Secretary) and the Division have been unsuccessful in serving Kenneth Bruce Baker (Baker) with the OIP despite numerous efforts to do so. The Division has no further information about Baker's whereabouts and no leads to pursue at this time. In accordance with an Order issued on March 15, 2011, the Division requests that the proceeding be discontinued without prejudice.

Ruling

The Commission has delegated to the Chief Administrative Law Judge the authority to "grant motions of staff counsel to discontinue administrative proceedings as to a particular respondent who has died or cannot be found, or because of a mistake in the identity of a respondent named in the order for proceedings." 17 C.F.R. § 200.30-10(a)(8).

Given that the Secretary and the Division have made considerable, unsuccessful efforts to serve Baker over an almost eight-month period and that the Commission cannot act until Baker has been served, I GRANT the Motion and ORDER that the proceeding is discontinued without prejudice.

Brenda P. Murray
Chief Administrative Law Judge