

UNITED STATES OF AMERICA  
before the  
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934  
Release No. 74887 / May 6, 2015

Admin. Proc. File No. 3-15544

In the Matter of

DIAN MIN MA,  
GANG MA, and  
JIN TIAN

ORDER MODIFYING SANCTIONS AND NOTICE THAT INITIAL DECISION, AS  
MODIFIED, HAS BECOME FINAL

The time for filing a petition for review of the initial decision in this proceeding has expired. No such petition has been filed by Dian Min Ma, Gang Ma, or Jin Tian. The Commission has determined to review the decision on its own initiative for the limited purpose described below.

On February 5, 2015, the administrative law judge issued an initial decision with respect to Dian Min Ma, Gang Ma, and Jin Tian.<sup>1</sup> Among other things, the law judge found that the respondents were in default. The initial decision ordered that: a) pursuant to Section 21C of the Securities Exchange Act of 1934, Dian Min Ma shall cease and desist from committing or causing any violations or future violations of Section 10(b), 13(a), and 13(b)(2)(A) of the Exchange Act and Rules 10b-5, 12b-20, 13a-1, 13a-11, 13a-13, 13a-14, 13b2-1, and 13b2-2(a) thereunder; b) pursuant to 21C of the Exchange Act, Gang Ma shall cease and desist from committing, causing, or aiding and abetting any violations or future violations of Sections 10(b), 13(a), and 13(b)(2)(A) of the Exchange Act and Rules 10b-5, 12b-20, 13a-1, 13a-11, 13a-13, 13a-14, 13b2-1 and 13b2-2(a) thereunder; c) pursuant to Section 21C of the Exchange Act Jin Tian shall cease and desist from committing, causing, or aiding and abetting any violations of Sections 10(b), 13(a), and 13(b)(2)(A) of the Exchange Act and Rules 10b-5, 12b-20, 13a-1, 13a-11, 13a-13, 13b2-1, and 13b2-2(a) thereunder; and d) pursuant to Section 21B of the Exchange Act, Dian Min Ma, Gang Ma, and Jin Tian shall each pay a civil money penalty in the amount of \$400,000.

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<sup>1</sup> *China Ruitai Int'l Holdings Co., Ltd., Dian Min Ma, Gang Ma, and Jin Tian*, Initial Decision Release No. 742 (Feb. 5, 2015), 110 SEC Docket 16, 2015 WL 468886.

Rule of Practice 155 grants the hearing officer the authority "to determine the proceeding against" a party that defaults "upon consideration of the record, including the order instituting proceedings."<sup>2</sup> The Order Instituting Proceedings in this matter was brought under Section 21C of the Exchange Act,<sup>3</sup> which does not authorize orders to cease and desist from aiding and abetting violations. The law judge therefore did not have authority to order Gang Ma and Jin Tian to cease and desist from aiding and abetting violations.

Accordingly, it is ordered that the administrative law judge's order directing Gang Ma and Tin Jian to cease and desist from aiding and abetting violations be, and hereby is, set aside.

Further, notice is hereby given, pursuant to Rule 360(d) of the Commission's Rules of Practice,<sup>4</sup> that, as modified above, the initial decision of the administrative law judge has become the final decision of the Commission.

By the Commission.

Brent J. Fields  
Secretary

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<sup>2</sup> 17 C.F.R. § 201.155.

<sup>3</sup> 15 U.S.C. § 78u-3.

<sup>4</sup> 17 C.F.R. § 201.360(d).