

ADMINISTRATIVE PROCEEDING  
FILE NO. 3-12359

UNITED STATES OF AMERICA  
Before the  
SECURITIES AND EXCHANGE COMMISSION  
October 3, 2006

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In the Matter of :  
: ORDER  
ANTHONY C. SNELL and :  
CHARLES E. LECROY :  
:

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The Division of Enforcement (Division) has filed a motion for summary disposition. Among other things, the Division seeks second-tier civil penalties of \$25,000 against each Respondent.

On September 29, 2006, Respondent Anthony C. Snell (Snell) opposed the Division's request for a civil penalty on the grounds of inability to pay. See Rule 630 of the Rules of Practice of the Securities and Exchange Commission (Commission). In support of his claim, Snell filed a financial disclosure statement and several supporting documents. Snell also moved for a protective order which would bar disclosure of his personal financial data to Respondent Charles E. LeCroy and to the public. See Rules 322 and 630(c) of the Commission's Rules of Practice. The Division does not object to a protective order. I find that the harm resulting from disclosure would outweigh the benefits of disclosure.

IT IS ORDERED THAT Snell's motion for a protective order is granted.

On October 2, 2006, Respondents sought leave to file a joint motion for partial summary disposition. Under Rule 250(a) of the Commission's Rules of Practice, such a motion shall be made only with leave of the hearing officer if the Division has not completed the presentation of its case-in-chief.

IT IS FURTHER ORDERED THAT, no later than October 5, 2006, the Division shall file and serve a brief statement clarifying whether it has or has not completed the presentation of its case-in-chief.

  
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James T. Kelly  
Administrative Law Judge