

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 664/ February 3, 2011

ADMINISTRATIVE PROCEEDING
File No. 3-13887

In the Matter of	:	
	:	MOTION TO THE COMMISSION FOR
DAVID W. BALDT	:	EXTENSION

Rule 360(a)(3) of the Commission's Rules of Practice provides that the Chief Administrative Law Judge may submit to the Commission a motion requesting an extension of the time period for filing an Initial Decision where she determines that it will not be possible to issue the Initial Decision in the time specified. That is true in this situation.

The Securities and Exchange Commission (Commission) instituted this proceeding on May 11, 2010, pursuant to Section 8A of the Securities Act of 1933, Section 21C of the Securities Exchange Act of 1934, Sections 203(f) and 203(k) of the Investment Advisers Act of 1940, and Section 9(b) of the Investment Company Act of 1940. The record consists of four days of transcript and approximately 150 exhibits. The final brief was filed on January 7, 2011. The Initial Decision is due March 8, 2011. Judge Mahony has requested a forty-five day extension.

Judge Mahony issued a forty-one page Initial Decision in Gerard A.M. Oprins, CPA, Release No. 411, on December 28, 2010, and an Order Denying Motion to Correct a Manifest Error of Fact, on January 21, 2011. He begins a hearing in Daxor Corporation, Admin. Proc. 3-14055, on March 7, 2011, one day before the due date for the Initial Decision in Baldt. At the present time, this Office has one less judge and two fewer law clerks than normal. In part because of the staffing situation, the law clerk assisting Judge Mahony with the Baldt Initial Decision has recently taken over responsibility for another 300-day case in which the hearing has been held.

Given the Office workload, it will not be possible for Judge Mahony to issue an Initial Decision in Baldt by March 8, 2011. Accordingly, I make this motion to extend the due date for an Initial Decision to April 22, 2011.

Brenda P. Murray
Chief Administrative Law Judge