

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 1032 / November 8, 2013

ADMINISTRATIVE PROCEEDING
File No. 3-15538

In the Matter of	:	
	:	ORDER SETTING PREHEARING
LAWRENCE MAXWELL MCCOY	:	SCHEDULE
	:	

The Securities and Exchange Commission issued an Order Instituting Administrative Proceedings (OIP) on September 30, 2013, pursuant to Section 15(b) of the Securities Exchange Act of 1934 and Section 203(f) of the Investment Advisers Act of 1940. Respondent Lawrence Maxwell McCoy (McCoy) was served with the OIP on October 4, 2013, and his Answer to the OIP was due within twenty days after service of the OIP, or by Monday, October 28, 2013. See OIP at 2; 17 C.F.R. §§ 201.141(a)(2)(i), .160(b), .220(b).

A telephonic prehearing conference was held on October 23, 2013, which McCoy did not attend, and later that day I issued an order directing McCoy to show cause why he should not be held in default. On October 30, 2013, this Office received a letter from McCoy, dated October 22, 2013 (First Letter), which admits at least some of the allegations of the OIP and states that McCoy has “no intent or desire to ever associate [himself], in any manner, with the securities industry.” On November 6, 2013, this Office received a second letter from McCoy, dated October 31, 2013 (Second Letter), which explains his absence from the October 23 prehearing conference and states that McCoy has “no intent to protest the proceedings.” I construe the First Letter as an excusably late Answer, and I construe the Second Letter as a sufficient response to the Order to Show Cause.

There is no evidence that the Second Letter was served on the Division of Enforcement or filed with the Office of the Secretary. This Office sent the Second Letter to the Secretary to have it entered into the record as McCoy’s response to the Order to Show Cause. The parties are reminded that all filings must be made pursuant to, and in accordance with, Rules 151 and 152 of the Commission’s Rules of Practice; notably, though courtesy copies may be sent electronically, filings must be made in hard copy with the Secretary. See 17 C.F.R. §§ 201.151, .152.

In view of McCoy’s comments in his Answer and response to the Order to Show Cause, I have set the following prehearing schedule in lieu of a second prehearing conference:

November 22, 2013: Motions for summary disposition are due;

December 20, 2013: Oppositions are due; and

January 10, 2014: Replies, if any, are due.

See 17 C.F.R. § 201.250. Any objection to this schedule shall be filed no later than November 15, 2013.

SO ORDERED.

Cameron Elliot
Administrative Law Judge