

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

ADMINISTRATIVE PROCEEDINGS RULINGS  
Release No. 1079/December 2, 2013

ADMINISTRATIVE PROCEEDING  
File No. 3-15526

In the Matter of

GEORGE B. FRANZ III and  
RUBY CORPORATION

PREHEARING ORDER

The Securities and Exchange Commission instituted this proceeding with an Order Instituting Proceedings (OIP) on September 26, 2013. Previously, based on continuing settlement negotiations, Respondents' request for a postponement, until December 2, 2013, of the date to file an Answer to the OIP was granted. George B. Franz III, Admin. Proc. Rulings Release No. 989 (A.L.J. Oct. 24, 2013). In the event that settlement negotiations failed, the hearing was set to commence on February 24, 2014, and various prehearing procedural dates were set, commencing on January 21, 2014. Id. On November 27, 2013, Respondents submitted a Second Motion for Extension to Answer the OIP, requesting an additional thirty days, based on continuing negotiations and their "wish to avoid unnecessary litigation costs." The Division of Enforcement (Division) opposed this, noting the lengthy postponement granted to date and the approach of the hearing and prehearing procedural dates. In Reply, Respondents stated that they plan to provide a revised settlement proposal to the Division today and requested an alternative postponement of fourteen days, until December 16, 2013.

In view of the upcoming hearing date and the previous postponement, consistent with 17 C.F.R. § 201.161, Respondents will be granted a postponement of one week, until December 9, 2013, to file their Answer.

IT IS SO ORDERED.

/S/ Carol Fox Foelak  
Carol Fox Foelak  
Administrative Law Judge