

UNITED STATES OF AMERICA  
Before the  
SECURITIES AND EXCHANGE COMMISSION

ADMINISTRATIVE PROCEEDINGS RULINGS  
Release No. 920/September 26, 2013

ADMINISTRATIVE PROCEEDING  
File No. 3-15124

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In the Matter of	:	
	:	ORDER AS TO RESPONDENT
DAVID F. BANDIMERE and	:	JOHN O. YOUNG
JOHN O. YOUNG	:	

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The Securities and Exchange Commission (Commission) instituted this proceeding with an Order Instituting Administrative and Cease-and-Desist Proceedings on December 6, 2012, pursuant to Section 8A of the Securities Act of 1933, Sections 15(b) and 21C of the Securities Exchange Act of 1934, Section 9(b) of the Investment Company Act of 1940, and Sections 203(f) and (k) of the Investment Advisers Act of 1940. Respondent John O. Young (Young) stipulated as to his liability in this proceeding, and Young and the Division of Enforcement (Division) agreed to resolve the issue of sanctions by motion practice rather than through a live hearing. Briefing on sanctions is complete.

The Commission's Office of the Secretary issued the Record Index in this proceeding on September 24, 2013, pursuant to Rule 351 of the Commission's Rules of Practice. The Record Index does not reflect that Young filed a Form D-A or other substantially similar information concerning his ability to pay disgorgement, interest, or a penalty. The Affidavit that Young attached as Exhibit A to his Response to Division's Motion for Sanctions (Response) states, however, that Young completed a form entitled "Summary Financial Disclosure Statement," in April and that the form is "adopted herein as still providing current and accurate information." Response, Ex. A at 2. That form does not appear to have been filed with the Office of the Secretary and therefore is not part of the record of this proceeding.

If Young desires to submit a Form D-A or other substantially similar information concerning his ability to pay, he must file the Form D-A or such information with the Commission's Office of the Secretary no later than Tuesday, October 1, 2013. The Form D-A shall comply with the requirements of Rule 630 of the Commission's Rules of Practice and shall be current and up to date as of the filing date. 17 C.F.R. §§ 201.630, 209.1. The procedure for filing such a statement is as follows. Young shall file the Form D-A under seal, and, simultaneous with that filing, Young shall file a motion for protective order, not under seal, seeking confidential treatment for the associated Form D-A. 17 C.F.R. §§ 201.322, .630(c), 209.1. The motion for protective order shall be served on every other party, and the Form D-A shall be served on the Division only.

The Division shall have until October 7, 2013, to file any response to Young's Form D-A. Courtesy copies of any of these filings may be sent to [alj@sec.gov](mailto:alj@sec.gov).

SO ORDERED.

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Cameron Elliot  
Administrative Law Judge