

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 940/October 7, 2013

ADMINISTRATIVE PROCEEDING
File No. 3-15263

In the Matter of :
:
ZPR INVESTMENT MANAGEMENT, INC., and : ORDER
MAX E. ZAVANELLI :
:

The Securities and Exchange Commission instituted this proceeding on April 4, 2013, pursuant to Sections 203(e), 203(f), and 203(k) of the Investment Advisers Act of 1940 and Section 9(b) of the Investment Company Act of 1940 against ZPR Investment Management, Inc., and Max E. Zavanelli. The hearing in this matter commenced on Monday, September 30, 2013, and recessed on October 1, 2013, until Tuesday, October 15, 2013.

Division of Enforcement (Division) witness Jean Cabot testified on October 1, and after Respondents' cross-examination, the Division declared its intention to continue with redirect when the hearing resumes on October 15. I instructed Ms. Cabot not to discuss her testimony with anyone until after she completes her remaining testimony. On Friday, October 4, 2013, the Division filed an Unopposed Motion for Clarification of Law Judge's Witness Instruction to Allow Witness Jean Cabot to Review Documents (Motion). The Motion requests permission for the Division to ask Ms. Cabot, prior to redirect, to review a previous production by Respondents to determine whether they had produced certain emails at issue. The Motion notes that Respondents do not oppose the request.

I GRANT the Division's Motion, and will allow it to ask Ms. Cabot to review the Respondents' production discussed during her cross-examination before the hearing resumes on October 15.

SO ORDERED.

Cameron Elliot
Administrative Law Judge