

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 989/October 24, 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, and the hearing was scheduled to commence on October 29, 2013. A prehearing conference was held today. Robin Andrews and Jonathan S. Polish, Esqs., appeared on behalf of the Division of Enforcement, and Ari H. Jaffe Esq., appeared on behalf of Respondents.

The parties are continuing settlement negotiations, and, pursuant to 17 C.F.R. § 201.161, Respondents' request for a postponement of the date to file an Answer to the OIP was granted; their Answer will be due on Monday, December 2, 2013. Should settlement negotiations fail, and pursuant to 17 C.F.R. §§ 201.161, .200(c), the hearing was postponed to commence on February 24, 2014, in Cleveland, Ohio. The hearing is expected to last ten days or fewer. The following prehearing procedural dates were set: January 21, 2014 – exchange of witness lists, expert disclosure, and expert report[s]; February 3, 2014 – exchange of exhibit lists and/or exhibits; February 10, 2014 – prehearing briefs; and February 18, 2014 – telephonic prehearing conference.

IT IS SO ORDERED.

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