

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 1156/January 9, 2014

ADMINISTRATIVE PROCEEDING
File No. 3-15514

In the Matter of

DONALD J. ANTHONY, JR.,
FRANK H. CHIAPPONE,
RICHARD D. FELDMANN,
WILLIAM P. GAMELLO,
ANDREW G. GUZZETTI,
WILLIAM F. LEX,
THOMAS E. LIVINGSTON,
BRIAN T. MAYER,
PHILIP S. RABINOVICH, and
RYAN C. ROGERS

ORDER

The Securities and Exchange Commission issued an Order Instituting Administrative and Cease-and-Desist Proceedings, pursuant to Section 8A of the Securities Act of 1933, Sections 15(b) and 21C of the Securities Exchange Act of 1934, Section 203(f) of the Investment Advisers Act of 1940, and Section 9(b) of the Investment Company Act of 1940, on September 23, 2013. A hearing is scheduled to begin on January 27, 2014.

Yesterday, I received: (1) a letter from the Division of Enforcement (Division) requesting, on behalf of the Division and Respondents Thomas E. Livingston (Livingston), William Lex (Lex), and Frank Chiappone (Chiappone), that I extend the deadline for filing prehearing briefs from Monday, January 13, 2014, to Friday, January 17, 2014; (2) a letter from Livingston reiterating that he joins the Division's request; and (3) a letter from M. William Munno, counsel for Respondents Philip S. Rabinovich (Rabinovich), Brian T. Mayer (Mayer), and Ryan C. Rogers (Rogers), stating that Rabinovich, Mayer, and Rogers do not consent to an extension to January 17, 2014.

I apologize for the confusion caused by my prior Order dated January 3, 2014. The requests for an extension in the filing date are GRANTED, and all prehearing briefs are due on Friday, January 17, 2014.

/s/

Brenda P. Murray
Chief Administrative Law Judge