

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 1240/February 12, 2014

ADMINISTRATIVE PROCEEDING
File No. 3-15691

In the Matter of

JAMES A. RATHGEBER

POSTPONEMENT ORDER

The Securities and Exchange Commission instituted this proceeding with an Order Instituting Proceedings (OIP) on January 27, 2014, pursuant to Section 15(b) of the Securities Exchange Act of 1934, and the hearing was scheduled to commence on February 27, 2014. The proceeding is a follow-on proceeding based on People v. Rathgeber, No. 02394-2009 (N.Y. Sup. Ct. Dec. 2, 2011), in which Respondent James A. Rathgeber (Rathgeber) was convicted of securities fraud and grand larceny under New York state law.

Rathgeber was served with the OIP on January 30, 2014, pursuant to 17 C.F.R. § 201.141(a)(2)(i). His Answer is due within twenty days of service on him. See OIP at 2; 17 C.F.R. § 201.220(b). If he fails to file an Answer within the time provided, he will be deemed to be in default, and the undersigned will enter an order barring him from the securities industry. See OIP at 2; 17 C.F.R. §§ 201.155(a), .220(f).

To allow time for Rathgeber's Answer, consistent with 17 C.F.R. § 201.161, the hearing will be postponed sine die, and a prehearing conference will be held by telephone on Friday, March 14, 2014, at 10:30 a.m. EDT, if the proceeding has not been resolved by then.

IT IS SO ORDERED.

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