

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 1297/March 11, 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 on January 27, 2014, pursuant to Section 15(b) of the Securities Exchange Act of 1934. 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 was convicted of securities fraud and grand larceny under New York state law.

Due to a conflict in the schedule of the undersigned and consistent with 17 C.F.R. § 201.161, the telephonic prehearing conference scheduled for March 14, 2014, will be postponed and will be held on Wednesday, March 19, 2014, at 11:00 a.m. EDT, a date and time convenient to the parties.

IT IS SO ORDERED.

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