

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 1341/March 27, 2014

ADMINISTRATIVE PROCEEDING
File No. 3-15764

In the Matter of :
: ORDER FOLLOWING
GARY L. MCDUFF : PREHEARING CONFERENCE
:

The Securities and Exchange Commission (Commission) issued an Order Instituting Proceedings (OIP) in this proceeding on February 21, 2014, pursuant to Section 15(b) of the Securities Exchange Act of 1934.

A telephonic prehearing conference was held today, and attended by Janie Frank for the Division of Enforcement (Division) and Respondent Gary L. McDuff (McDuff), who is incarcerated, appeared pro se. Service of the OIP was deemed to have occurred on February 27, 2014. McDuff agreed to file his Answer by April 14, 2014. The parties agreed to the following briefing schedule for motions for summary disposition:

April 25, 2014: Motions for summary disposition are due;
May 16, 2014: Oppositions are due; and
May 23, 2014: Replies, if any, are due.

Due to McDuff's incarceration and stated difficulty obtaining documents related to his defense of this proceeding, I ordered that the Division provide McDuff, no later than April 14, 2014, a copy of all documents on which it intends to rely in its motion for summary disposition and a copy of the Commission's Rules of Practice. McDuff is reminded that Rule 250(b) of the Commission's Rules of Practice provides that if, for good cause shown, he cannot present by affidavit prior to hearing facts essential to justify opposition to the motion for summary disposition, I may deny or defer the motion. 17 C.F.R. § 201.250(b).

SO ORDERED.

Cameron Elliot
Administrative Law Judge