

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 1351/March 31, 2014

ADMINISTRATIVE PROCEEDING
File No. 3-15680

In the Matter of :
: ORDER FOLLOWING SECOND
: PREHEARING CONFERENCE
EUGENE M. EGEBERG III, CPA :
:

On January 17, 2014, the Securities and Exchange Commission (Commission) issued an Order Instituting Administrative and Cease-and-Desist Proceedings alleging that Eugene M. Egeberg III, CPA (Egeberg): (1) engaged in improper professional conduct within the meaning of Section 4C of the Securities Exchange Act of 1934 (Exchange Act), and Rule 102(e)(1)(iv)(B)(2) of the Commission's Rules of Practice; (2) engaged in improper professional conduct within the meaning of Rule 102(e)(1)(ii) of the Commission's Rules of Practice and willfully violated Exchange Act Section 10(b) and Exchange Act Rule 10b-5(b); and (3) willfully violated Rule 2-02(b)(1) of Regulation S-X. Egeberg filed an Answer on February 6, 2014. At a prehearing conference on February 18, 2014, the parties indicated a high likelihood of settlement; however, out of an abundance of caution, I granted the Division of Enforcement (Division) leave to file a motion for summary disposition by April 18, 2014. Eugene M. Egeberg III, CPA, Admin. Proc. Rulings Release No. 1279, 2014 SEC LEXIS 738 (Mar. 4, 2014).

Egeberg did not participate in today's telephonic prehearing conference, however, the Division represented that the parties have made progress towards a settlement but more time is needed to gather material and prepare the documentation.

Order

I accept the Division's representations and ORDER that the Division's motion for summary disposition is due on May 30, 2014, any opposition brief on June 13, 2014, and any reply brief on June 20, 2014. 17 C.F.R. § 201.250.

Brenda P. Murray
Chief Administrative Law Judge