

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 1393/April 21, 2014

ADMINISTRATIVE PROCEEDING
File No. 3-15830

In the Matter of

HERBERT STEVEN FOUKE

ORDER POSTPONING
HEARING AND SCHEDULING
PREHEARING CONFERENCE

On April 8, 2014, the Securities and Exchange Commission (Commission) issued an Order Instituting Administrative Proceedings (OIP) against Herbert Steven Fouke (Fouke), pursuant to Section 15(b) of the Securities Exchange Act of 1934 and Section 203(f) of the Investment Advisers Act of 1940. A hearing is currently scheduled for May 6, 2014.

Today, this Office received the Division of Enforcement's Motion to Continue Hearing and Schedule a Telephonic Prehearing Conference (Motion), which (1) represents that Fouke has not yet been served with the OIP; and (2) requests that the hearing be postponed and a telephonic prehearing conference be scheduled for May 7, 8, or 9, 2014.

For good cause shown, it is ORDERED that the Motion is GRANTED; the hearing currently scheduled for May 6, 2014, is POSTPONED sine die; and a telephonic prehearing conference will be held on Thursday, May 8, 2014, at 9:30 a.m. EDT. If Fouke fails to participate in the prehearing conference or fails to timely file an Answer, he may be deemed in default and the proceeding may be determined against him. See OIP at 3; 17 C.F.R. §§ 201.155(a)(1)-(2), .220(f), .221(f).

Cameron Elliot
Administrative Law Judge