

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 1670/August 5, 2014

ADMINISTRATIVE PROCEEDING
File No. 3-15574

In the Matter of

HARDING ADVISORY LLC AND
WING F. CHAU

ORDER ON JOINT MOTION TO
CORRECT TRANSCRIPT

The Securities and Exchange Commission instituted this Administrative and Cease-and-Desist Proceeding on October 18, 2013, pursuant to Section 8A of the Securities Act of 1933, Sections 203(e), 203(f), and 203(k) of the Investment Advisers Act of 1940, and Section 9(b) of the Investment Company Act of 1940, against Harding Advisory LLC and Wing F. Chau (collectively, Respondents). A hearing in this matter concluded on April 30, 2014, and post-hearing briefing has concluded.

On July 15, 2014, the parties submitted a Joint Motion to Correct Transcript (Motion), pursuant to Rule 302(c) of the Commission's Rules of Practice, 17 C.F.R. § 201.302(c). The Motion identifies agreed-upon corrections, attached to the Motion as Schedule A, as well as disputed proposed corrections, attached to the Motion as Schedule B. For the most part, the corrections reflect clear typographic or scrivener's errors, and thus they will all be adopted, with the following exceptions.

The first exception is to the pagination of corrections proposed on page 13 of Schedule A attached to the Motion. Some of the proposed corrections refer to pages in what appears to be a version of the transcript from April 10, 2014, that was consolidated after excising twelve pages. The official transcript for the proceeding includes that excised section, spanning pages 2763 to 2774, a section that has been sealed from the public, and the content which was stricken from the record. Though stricken, it must be preserved as part of the record for purposes of Rule 350(b) of the Commission's Rules of Practice, which requires preservation of evidence offered but not admitted. 17 C.F.R. § 201.350(b). Accordingly, the seven proposed changes to transcript pages 2771, 2785, 2789, 2825, 2861, 2866, and 2876, listed on page 13 of Schedule A to the Motion, should instead be made to transcript pages 2783, 2797, 2801, 2837, 2873, 2878, and 2888, respectively.

The second exception is the proposed change of “in Exhibit” to “an Exhibit,” proposed on page 15 of Schedule A to the Motion (citing Tr. 3325:7-8). The context is clear that the change should instead be made from “in Exhibit” to “in evidence.”

The third exception is the proposed change on page 2 of Schedule B attached to the Motion regarding transcript page 3724, lines 17-18. Respondents propose that the word “not” be inserted before the phrase “have been part of the ramping for Octans 1.” I will take this proposed correction under advisement and decide whether to grant it in the initial decision.

Accordingly, the Motion is GRANTED IN PART, and it is ORDERED that the corrections described above be made to the transcript.

Cameron Elliot
Administrative Law Judge