

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

ADMINISTRATIVE PROCEEDINGS RULINGS  
Release No. 1996/November 10, 2014

ADMINISTRATIVE PROCEEDING  
File No. 3-16198

In the Matter of

GAETON S. DELLA PENNA

ORDER POSTPONING  
HEARING AND  
SCHEDULING  
PREHEARING  
CONFERENCE

The Securities and Exchange Commission issued an Order Instituting Proceedings on October 15, 2014, pursuant to Section 203(f) of the Investment Advisers Act of 1940, against Respondent Gaeton S. Della Penna. A hearing is currently scheduled for November 14, 2014.

On November 7, 2014, the Division of Enforcement (Division) sent this Office a Motion to Convert Hearing to Telephonic Prehearing Conference (Motion). The Motion states the Division has not yet received confirmation of service, but that it has conferred with Respondent, and that Respondent has no objection to postponing the hearing in favor of a prehearing conference. The Motion requests that the hearing be postponed to allow time for Respondent to review the Commission's investigative file, and to determine whether the parties can resolve the matter by settlement.

To allow time for confirmation of service, for Respondent to answer, and to determine whether resolution of the matter by settlement is possible, the Division's Motion is GRANTED. The hearing is POSTPONED *sine die*, and a telephonic prehearing conference is ORDERED for December 5, 2014, at 9:30 a.m. EST.

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Cameron Elliot  
Administrative Law Judge