

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 2142/December 17, 2014

ADMINISTRATIVE PROCEEDING
File No. 3-16274

In the Matter of

GREGORY VIOLA

:
:

PREHEARING ORDER

The Securities and Exchange Commission instituted this proceeding with an Order Instituting Proceedings on November 13, 2014, pursuant to Section 203(f) of the Investment Advisers Act of 1940. A prehearing conference, at which both parties appeared, was held today. The proceeding is a follow-on proceeding based on *United States v. Viola*, Case No. 3:12-cr-25 (D. Conn), *aff'd*, 555 F. App'x 57 (2d Cir. 2014), *cert. denied*, 190 L. Ed. 2d 389 (2014), in which Respondent Gregory Viola (Viola) was convicted, on his plea of guilty, of mail fraud, in violation of 18 U.S.C. § 1341.

Viola has filed his Answer to the OIP. The Division of Enforcement (Division) has forwarded its investigative file to the facility at which he is incarcerated and will follow up to establish that it has been delivered and will be made available to him.¹ The Division was granted leave to file a motion for summary disposition pursuant to 17 C.F.R. § 201.250, which will be due by February 27, 2015. Viola may file an opposition by March 27, 2015, and the Division, a reply, by April 3, 2015.

IT IS SO ORDERED.

/S/ Carol Fox Foelak
Carol Fox Foelak
Administrative Law Judge

¹ See *Byron S. Rainer*, Exchange Act Release No. 59040, 2008 SEC LEXIS 2840, at *7 (Dec. 2, 2008); *José P. Zollino*, Exchange Act Release No. 51632, 2005 SEC LEXIS 987, at *10 (Apr. 29, 2005).