

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 2206/January 12, 2015

ADMINISTRATIVE PROCEEDING
File No. 3-16181

In the Matter of

DUNCAN J. MACDONALD, III

ORDER

On September 29, 2014, the Securities and Exchange Commission issued an Order Instituting Administrative Proceedings against Respondent pursuant to Section 15(b) of the Securities Exchange Act of 1934.

I previously extended Respondent's deadline to file an Answer to December 23, 2014. On December 22, 2014, Respondent notified the Division of Enforcement (Division) "that an Answer-Order has been completed, notarized, signed and delivered to the Bureau of Prison (BOP) Mail Service via Inmate Drop Box . . . on Friday, December 19, 2014" but that "BOP mail processing procedures could require several days for outgoing mail . . ." I received Respondent's filing on January 7, 2015. While that filing did not bear the title "Answer" – based on Respondent's correspondence with the Division (which he asked the Division to relay to this Office), and the fact that he is *pro se* – on January 8, 2015, I deemed Respondent's filing as a timely filed Answer, finding good cause had been shown for the delay. Given the nature of Respondent's filing, I encouraged the parties to work together to reach an amicable resolution to this case.

On January 9, 2015, this Office received the Division's Motion to Defer Summary Disposition Briefing (Motion), to allow the parties an opportunity to resolve this action by mutually agreeable means. In the Motion, the Division requested the following schedule be adopted:

- Motions for Summary Disposition are due: February 6, 2015
- Oppositions to Motions for Summary Disposition are due: March 13, 2015
- Replies, if any, are due: March 23, 2015

The Motion is GRANTED. It is ORDERED that the above briefing schedule is adopted.

SO ORDERED.

Jason S. Patil
Administrative Law Judge