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

ADMINISTRATIVE PROCEEDINGS RULINGS Release No. 2214/January 13, 2015

ADMINISTRATIVE PROCEEDING File No. 3-15974

In the Matter of

:

ORDER

NATURAL BLUE RESOURCES, INC.,

JAMES E. COHEN, and :

JOSEPH A. CORAZZI

This Order addresses Respondent Joseph A. Corazzi's (Corazzi) Verified Motion to Continue (Motion), filed January 7, 2015, and related filings by the Division of Enforcement (Division) and Respondent James E. Cohen (Cohen). Corazzi asks for a four-month postponement of all procedural dates in this proceeding.

The Securities and Exchange Commission (Commission) instituted this proceeding with an Order Instituting Proceedings (OIP) on July 16, 2014, pursuant to Sections 8A of the Securities Act of 1933 and 15(b) and 21C of the Securities Exchange Act of 1934, and the hearing as to Cohen and Corazzi is scheduled to commence on February 9, 2015, in Washington, DC. The hearing date was set at a September 9, 2014, prehearing conference based on mutual agreement of the parties. *See Natural Blue Res., Inc.*, Admin. Proc. Rulings Release No. 1783, 2014 SEC LEXIS 3267 (A.L.J. Sept. 9, 2014); Prehearing Conference Tr. at 10-11. The procedural schedule was set with the agreement of the parties. *See* Prehearing Conference Tr. at 11-14; *see also Natural Blue Res., Inc.*, Admin. Proc. Rulings Release No. 2105, 2014 SEC LEXIS 4690 (A.L.J. Dec. 5, 2014). Pursuant to the procedural schedule, the parties were to exchange and file exhibit and witness lists and expert reports on January 7, 2015. *Id.*

Corazzi's previous counsel has withdrawn from representing him. *See Natural Blue Res.*, *Inc.*, Admin. Proc. Rulings Release No. 2067, 2014 SEC LEXIS 4526 (A.L.J. Dec. 1, 2014). Previous counsel's November 26, 2014, filing noted Corazzi's "continued financial hardship" and represented that the withdrawal would not delay or impede the hearing or procedural schedule.

On January 7, 2015, the Division filed exhibit and witness lists and information concerning a proposed expert witness; Corazzi filed only his Motion. On January 12, 2015 the Division submitted an opposition to Corazzi's Motion, and Cohen submitted a witness list and a Response in

¹ The proceeding has ended as to Natural Blue Resources, Inc. *Natural Blue Res.*, *Inc.*, Initial Decision Release No. 710, 2014 SEC LEXIS 4485 (A.L.J. Nov. 26, 2014).

support of Corazzi's Motion or, in the alternative, a postponement of the date for his exhibit list to January 19, 2015.

Corazzi's Motion essentially requests that the hearing and procedural dates be postponed until he can engage successor counsel. He represents that he did not file his request promptly after learning that previous counsel would be withdrawing because he experienced loss and illness during December 2014. He states that he has identified possible successor counsel but that he would not be able to procure funds to pay the counsel for "at least another month or two." In support of postponement, Cohen, noting that he received the Division's investigative file in August 2014, states that the record is voluminous and that more time is needed to prepare an effective defense.

The requested postponement will be denied, and the hearing will commence, as scheduled, on February 9, 2015. While Corazzi unfortunately experienced loss and illness during December 2014, he has been aware of the hearing date for four months, and of the withdrawal of prior counsel for at least six weeks. Corazzi states that he requires the postponement in order to engage successor counsel. Yet, he concedes that he does not have the funds to engage counsel and is not likely to obtain such funds in the near future.

Concerning Cohen's support for a lengthy postponement, he concedes that he received the Division's investigative file in August 2014, in advance of the September 2014 prehearing conference at which he agreed to the February 9, 2015, hearing date. Further, the Commission has rejected the argument that the size of the investigative file renders complete review of it prior to the hearing not feasible, such that relief is justified. *John Thomas Capital Mgmt. Grp. LLC*, Investment Advisers Act of 1940 Release No. 3733, 2013 SEC LEXIS 3860, at *21-26 (Dec. 6, 2013); *see also Gregory M. Dearlove, CPA*, Admin. Proc. File No. 3-12064, 2006 SEC LEXIS 3191 (Jan. 6, 2006). Certainly a four-month postponement would be inconsistent with the deadlines provided in 17 C.F.R. § 201.360(a)(2).

In light of the denial of the Motion, the prehearing procedural dates will be adjusted to allow Corazzi to participate and to accommodate Cohen's alternative request. The deadline for exhibit and witness lists and expert reports, if any, will be postponed to January 26, 2015. Likewise, prehearing briefs will be due on that date.

IT IS SO ORDERED.

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

² The Division has filed information concerning a proposed expert witness, not an expert report. If it wishes to present expert testimony, it must file an expert report – the expert's direct evidence – by January 26, 2015, and make its expert available for cross-examination. *See Natural Blue Res., Inc.*, 2014 SEC LEXIS 4690; Prehearing Conference Tr. at 13.