

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 2231/January 20, 2015

ADMINISTRATIVE PROCEEDING
File No. 3-16268

In the Matter of

ROBERT C. WEAVER, JR., ESQ.

ORDER FOLLOWING
PREHEARING CONFERENCE

On November 12, 2014, the Securities and Exchange Commission (Commission) issued an Order Instituting Public Administrative Proceedings (OIP) and Imposing Temporary Suspension Pursuant to Rule 102(e)(3)(i)(A) of the Commission's Rules of Practice (Rule), 17 C.F.R. § 201.102(e)(3)(i)(A), against Robert C. Weaver, Jr., Esq. (Weaver). *Robert C. Weaver, Jr., Esq.*, Securities Exchange Act of 1934 Release No. 73578, 2014 SEC LEXIS 4317. The OIP temporarily suspended Weaver from appearing or practicing before the Commission as an attorney based on a finding that on April 14, 2014, Weaver consented to the entry of a judgment in *SEC v. Coldicutt*, No. 2:13-cv-01865-RGK-VBK (C.D. Cal.), which permanently enjoined Weaver from violating Sections 17(a)(2) and (3) of the Securities Act of 1933, Section 15(d) of the Securities Exchange Act of 1934 (Exchange Act) and Exchange Act Rules 12b-20, 15d-1 and 15d-13, prohibited him from acting as an officer or director of a public company for five years; barred him from participating in a penny stock offering for five years; required him to pay \$55,175.07 in disgorgement, plus prejudgment interest of \$9,218.27; and to pay a \$50,000 civil penalty.

On December 1, 2014, Weaver petitioned the Commission to lift the temporary suspension pursuant to Rule 102(e)(3)(ii). On December 10, 2014, the Commission's Office of General Counsel (OGC) filed an Opposition to Weaver's petition. On December 29, 2014, the Commission issued an Order Denying Motion to Lift Temporary Suspension and Directing Hearing (Order). *Robert C. Weaver, Jr., Esq.*, Exchange Act Release No. 73949, 2014 SEC LEXIS 5071. The Order directed that an Initial Decision issue no later than 210 days from service of the Order. The Commission's administrative case tracking system shows that the Order was sent by facsimile on December 29, 2014, and by Certified Mail on December 30, 2014. The parties filed a joint motion on December 31, 2014, so I find the service date to be December 31, 2014.

At a prehearing conference held on January 16, 2015, the parties agreed that the matter would be best resolved through motions for summary disposition, 17 C.F.R. § 201.250, on the following schedule.

March 9, 2015: OGC's Motion for Summary Disposition;

April 16, 2015: Weaver's Opposing Brief; and

April 30, 2015: OGC's Reply Brief.

Brenda P. Murray
Chief Administrative Law Judge