

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 2464/March 26, 2015

ADMINISTRATIVE PROCEEDING
File No. 3-16384

In the Matter of

NICHOLAS TOMS

STAY ORDER

The Securities and Exchange Commission issued an Order Instituting Cease-and-Desist Proceedings in this matter on February 11, 2015. A prehearing conference is currently scheduled for this afternoon.

This proceeding was previously stayed, but the stay lapsed because the requirements of Commission Rule of Practice 161(c)(2)(i)(A), 17 C.F.R. § 201.161(c)(2)(i)(A), were not met. Yesterday, the parties submitted a second Joint Motion to Stay, representing that the Division of Enforcement has now received Mr. Toms's signed settlement offer and that the Division will be submitting the offer to the Commission.

Consistent with Rule 161(c)(2)(ii), 17 C.F.R. § 201.161(c)(2)(ii), the Joint Motion is GRANTED and the proceeding is STAYED. The parties shall promptly notify this Office if any of the requirements of Rule 161(c)(2), 17 C.F.R. § 201.161(c)(2), are not met.

James E. Grimes
Administrative Law Judge