

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 3481/January 8, 2016

ADMINISTRATIVE PROCEEDING
File No. 3-16509

In the Matter of

EDWARD M. DASPIN, a/k/a “EDWARD (ED) MICHAEL,”
LUIGI AGOSTINI, and
LAWRENCE R. LUX

ORDER FOLLOWING
PREHEARING
CONFERENCE

Following Respondent Edward M. Daspin’s failure to appear at the January 4, 2016, hearing in this matter, I temporarily adjourned the hearing and today held a telephonic prehearing conference at which Respondent Luigi Agostini and counsel for the Division of Enforcement appeared, but Daspin did not. *See Edward M. Daspin*, Admin. Proc. Rulings Release No. 3465, 2016 SEC LEXIS 21 (ALJ Jan. 5, 2016). During the conference, I received an update on Daspin’s status and denied Agostini’s January 7 motion to dismiss for reasons I explained.¹

As discussed during the conference, I ORDER the following: (i) the hearing in this matter, currently scheduled to resume on January 11, 2016, is POSTPONED; (ii) by February 3, 2016, Daspin shall make himself available for an in-person medical evaluation by an expert provided by the Division; and (iii) an in-person hearing addressing Daspin’s absence from the January 4 hearing shall occur on February 11, 2016, at a time and location to be determined.

James E. Grimes
Administrative Law Judge

¹ I also explained to Agostini that Chief Administrative Law Judge Brenda P. Murray’s motion to the Commission for a six-month extension of the initial decision due date will be decided by the Commission rather than me. Therefore, insofar as Agostini’s January 7 submission is an opposition to that motion, I do not consider it.