

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 3576/February 4, 2016

ADMINISTRATIVE PROCEEDING
File No. 3-16949

In the Matter of

SANDIP SHAH

:
:

PREHEARING ORDER

The Securities and Exchange Commission instituted this proceeding with an Order Instituting Proceedings on November 9, 2015, pursuant to Sections 15(b) and 21C of the Securities Exchange Act of 1934. A second prehearing conference was held today. Martin F. Healey and Ellen Moynihan, Esqs., appeared on behalf of the Division of Enforcement, and Respondent Sandip Shah, who is incarcerated at FCI Sheridan in Oregon, appeared *pro se*.

The parties advised that the Division's attempt to make available its investigative file pursuant to 17 C.F.R. § 201.230 (Rule 230) was not successful. Specifically, FCI Sheridan did not allow Shah to receive the Division's production of two CDs, although an FCI Sheridan official had told the Division that Shah would be allowed to receive such CDs. One of the CDs contains a video recording that cannot be viewed by any other means. The Division will attempt to resolve the problem and will report on its efforts by February 11, 2016. After the Rule 230 production is successful, further procedural steps will be ordered.

IT IS SO ORDERED.

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