

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

ADMINISTRATIVE PROCEEDINGS RULINGS  
Release No. 3606/February 16, 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 TO SHOW CAUSE

Respondent Edward M. Daspin failed to appear at the hearing in this matter, which was scheduled to begin on January 4, 2016. As a result, I postponed the hearing and held a telephonic conference on January 8, 2016. *See Edward M. Daspin*, Admin. Proc. Rulings Release No. 3481, 2016 SEC LEXIS 72 (ALJ Jan. 8, 2016). During that conference, the Division of Enforcement reported that Daspin had been hospitalized and asked that I hold an in-person hearing to address the reason for Daspin’s absence on January 4. Tr. 4-5, 12-13. I granted that request and ordered that the hearing would be held on February 11, 2016. Tr. 15-18.

In the weeks preceding the February 11 hearing, Daspin sent numerous e-mails voicing his objection to holding a hearing.<sup>1</sup> On February 10, 2016, Daspin sent an e-mail to counsel in my office and counsel for the Division stating that he had taken affirmative steps to prevent his wife, who was the subject of a subpoena that I issued, from testifying. Neither Daspin nor his wife appeared at the hearing on February 11, 2016. During that hearing, the Division presented un rebutted evidence that Daspin voluntarily absented himself from the January 4 hearing and concocted the basis for his hospitalization in order to avoid the hearing.

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<sup>1</sup> I have twice ordered Daspin to stop sending this office argumentative e-mails. *See Edward M. Daspin*, Admin. Proc. Rulings Release No. 3393, 2015 SEC LEXIS 5418, at \*2 (ALJ Dec. 14, 2015); Admin. Proc. Rulings Release No. 3202, 2015 SEC LEXIS 4103, at \*3 (ALJ Oct. 6, 2015). He has been “prohibited from using this office’s e-mail address or the e-mail address of any member of this office’s staff” for any reason other than to “forward courtesy copies of his filings properly made with the Office of the Secretary.” *Edward M. Daspin*, 2015 SEC LEXIS 5418, at \*2. Daspin has ignored these orders as well as repeated reminders from my office’s staff; since January 13, 2016, he has sent over forty e-mails—many of which have been abusive and unprofessional—to this office, members of its staff, and Division counsel.

Given the foregoing, I ORDER that on or before February 26, 2016, Daspin shall SHOW CAUSE why this proceeding should not be determined against him due to his failure to appear at the hearings on January 4 and February 11, 2016. *See* 17 C.F.R. § 201.155(a)(1). Absent extraordinary reasons, no extensions of time to respond will be granted. If Daspin fails to respond to this order, or if his response is inadequate or inconsistent with the instructions below, he will be deemed in default and the proceeding may be determined against him. *See id.*

The following rules will apply to Daspin's response to this order to show cause and any future filing made by him. First, in light of his conduct, my office will no longer accept or consider *any* e-mails or attachments thereto sent by Daspin, including courtesy copies of Daspin's filings sent by e-mail. *See supra* note 1. Only hard-copy papers properly served and filed with the Office of the Secretary will be considered. *See* 17 C.F.R. §§ 201.151–153. Second, unless Daspin asks for leave to amend his response, Daspin's response—and any other future filing—must be entirely self-contained in a single submission made on a single date. Multiple versions of filings, continuously amended and filed over an extended period, will not be considered.

Following disposition of the order to show cause, I will address the Division's request that I stay this proceeding as to Daspin pending a decision in *Agostini v. SEC*, No. 15-4114 (2d Cir.).

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James E. Grimes  
Administrative Law Judge