

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 4379/November 21, 2016

ADMINISTRATIVE PROCEEDING
File No. 3-17387

In the Matter of

DONALD F. (“JAY”) LATHEN, JR.,
EDEN ARC CAPITAL MANAGEMENT, LLC, and
EDEN ARC CAPITAL ADVISORS, LLC

ORDER REGARDING
MOTION FOR RECONSIDERATION

On November 17, 2016, Respondents submitted a motion for reconsideration of my November 10 order finding that they had waived the attorney-client privilege with respect to certain documents they produced to the Division of Enforcement during the investigation that led to this proceeding. The Division is directed to file a response by December 1 and to continue to segregate any e-mails at issue until the motion is resolved.

James E. Grimes
Administrative Law Judge