

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 4390 / November 28, 2016

ADMINISTRATIVE PROCEEDING
File No. 3-17551

In the Matter of

MED-X, INC.

ORDER REGARDING WITHDRAWAL

On Wednesday, November 23, 2016, the law firm of Richardson & Associates, counsel for Respondents, emailed to my office a notice of withdrawal under Rule of Practice 102(d)(4), 17 C.F.R. § 201.102(d)(4). The certificate of service attached to the email submission indicates that copies of the withdrawal notice were emailed to counsel for the Division of Enforcement as well. The certificate of service does not, however, indicate that the withdrawal notice was properly served on the Division in accordance with Rule 150 or filed with the Secretary of the Commission in accordance with Rule 151. Counsel is directed to cure such defects.

Moreover, under Rule 102, “[t]he notice shall be filed at least five days before the proposed effective date of the withdrawal.” 17 C.F.R. § 201.102(d)(4). Even if the withdrawal notice were deemed filed on November 23, the intermediate Thanksgiving holiday and weekend would be excluded from the time computation. 17 C.F.R. § 201.160(a). Therefore, the earliest possible effective date of withdrawal would be December 1, which is after the November 30 due date for the parties to exchange and file witness and exhibit lists, and to exchange copies of exhibits.

New counsel for Respondent filed a notice of appearance on November 28 and may presumably take the lead in the upcoming November 30 filing; however, Richardson & Associates is not relieved of client obligations until the withdrawal notice is effective.

Jason S. Patil
Administrative Law Judge