

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 4801/May 16, 2017

ADMINISTRATIVE PROCEEDING
File No. 3-17948

In the Matter of	:	
	:	POSTPONEMENT ORDER
ABIDA KHAN	:	

The Securities and Exchange Commission instituted this proceeding with an Order Instituting Proceedings (OIP) on April 27, 2017, pursuant to Section 15(b) of the Securities Exchange Act of 1934 and Section 203(f) of the Investment Advisers Act of 1940 (Advisers Act), and the hearing was scheduled to commence on May 25, 2017. The proceeding is a follow-on proceeding based on *United States v. Durante*, No. 1:15-cr-00171 (S.D.N.Y. Mar. 22, 2017), in which Sheik F. Khan also known as Abida Khan was convicted of securities and wire fraud and other crimes.¹

The OIP provides that Khan's Answer is due within twenty days of service of the OIP on her. *See* OIP at 2; 17 C.F.R. § 201.220(b). Khan was served with the OIP on May 1, 2017.² If Khan fails to file an Answer within the time provided, she will be deemed to be in default, and the undersigned will enter an order barring her from associating with a broker, dealer, investment adviser, municipal securities dealer, municipal advisor, transfer agent, or nationally recognized statistical rating organization. *See* OIP at 2; 17 C.F.R. §§ 201.155(a)(2), .220(f). To allow time for an Answer, and consistent with 17 C.F.R. § 201.161, the hearing will be postponed *sine die*, and a prehearing conference will be held by telephone on August 18, 2017, at 11:00 a.m. EDT, if the proceeding has not been resolved by that date.

IT IS SO ORDERED.

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

¹ The jury returned a guilty verdict on March 22, 2017, on the charges against Khan, who is awaiting sentencing. Pursuant to Section 202(a)(6) of the Advisers Act, "'convicted' includes a verdict . . . of guilty . . . whether or not sentence has been imposed." 15 U.S.C. § 80b-2(a)(6).

² The OIP was delivered on May 1, 2017, according to the U.S. Postal Service, tracking number 7012 1640 0000 8953 5007, to a Pasadena, California, address where Khan is required to live as a condition of bail. *See United States v. Durante* (Apr. 18, 2017), ECF No. 275.