

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

Administrative Proceedings Rulings
Release No. 5240 / November 28, 2017

Administrative Proceeding
File No. 3-18126

In the Matter of
Gerardo E. Reyes

Order Setting Motion Schedule

On August 22, 2017, the Securities and Exchange Commission issued an order instituting proceedings (OIP) against Respondent pursuant to Section 15(b) of the Securities Exchange Act of 1934 and Section 203(f) of the Investment Advisers Act of 1940. This follow-on proceeding is based on the criminal judgment in *United States v. Reyes*, No. 1:16-cr-20963 (S.D. Fla. June 27, 2017), in which, according to the OIP, Respondent was convicted of wire fraud, sentenced to a probationary term, and ordered to pay restitution to victims. OIP at 2. Respondent was served with the OIP, but did not file an answer; nor did he respond to the show cause order I issued. *See Gerardo E. Reyes*, Admin. Proc. Rulings Release No. 5220, 2017 SEC LEXIS 3537 (ALJ Nov. 6, 2017). I held a prehearing conference on November 27, 2017, but Respondent did not attend. At the prehearing conference, counsel for the Division of Enforcement stated that he has not heard from Respondent since Respondent acknowledged that he received the OIP on October 17, 2017.

As discussed at the prehearing conference, the Division shall file a motion to default Respondent that sets out the relief it seeks and the evidence that supports that request by December 11, 2017. Respondent will have until January 5, 2018, to respond. If Respondent responds, the Division will have until January 12, 2018, to reply.

Brenda P. Murray
Chief Administrative Law Judge