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

ADMINISTRATIVE PROCEEDINGS RULINGS Release No. 5241/November 28, 2017

ADMINISTRATIVE PROCEEDING File No. 3-18165

In the Matter of : GARY YIN : ORDER

The Securities and Exchange Commission instituted this proceeding with an Order Instituting Proceedings on September 11, 2017, pursuant to Sections 15(b) of the Securities Exchange Act of 1934 and 203(f) of the Investment Advisers Act of 1940. The proceeding is a follow-on proceeding based on Respondent Gary Yin's conviction of conspiracy to commit offenses in *United States v. Yin*, No. 3:13-cr-3488 (S.D. Cal.).

The Division of Enforcement filed a motion for summary disposition pursuant to 17 C.F.R. § 201.250(b) on October 26, 2017, according to a schedule set at the October 12, 2017, prehearing conference. *Gary Yin*, Admin. Proc. Rulings Release No. 5165, 2017 SEC LEXIS 3278 (A.L.J. Oct. 12, 2017). The due dates for the opposition and reply were set at November 29 and December 6, 2017, respectively. *Id.* Under consideration is Respondent's unopposed motion requesting a two-week extension of those dates, to December 13 and 20, respectively. In support of his request, Respondent summarizes recent developments in the parties' ongoing settlement negotiations, which include a detailed written settlement proposal and a conference call.

To avoid the waste of public and private resources, consistent with 17 C.F.R. § 201.161, the due dates for the opposition and reply will be postponed to December 13 and 20, 2017, respectively, as requested.

IT IS SO ORDERED.

<u>/S/ Carol Fox Foelak</u> Carol Fox Foelak Administrative Law Judge