

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

Administrative Proceedings Rulings  
Release No. 5255 / December 4, 2017

Administrative Proceeding  
File No. 3-17907

In the Matter of  
**Anthony C. Zufelt**

**Notice to the Parties and  
Order Ratifying Prior Actions**

The Securities and Exchange Commission stayed this proceeding in May 2017. *Pending Admin. Proc.*, Securities Act of 1933 Release No. 10365, 2017 WL 2224348 (May 22, 2017). On November 30, 2017, the Commission ratified the appointments of its administrative law judges and directed them to take certain actions in all pending cases, including granting the parties “until January 5, 2018 to submit any new evidence the parties deem relevant to [my] reexamination of the record.” *Pending Admin. Proc.*, Securities Act Release No. 10440, 2017 SEC LEXIS 3724, at \*2 (the Order).<sup>1</sup> For good cause, I may modify the deadlines in the Order. *Id.* at 2. In the Order, the Commission also lifted the stay in this case. *Id.* at 3.

Before the Commission stayed this proceeding, the parties participated in a telephonic prehearing conference. *See Anthony C. Zufelt*, Admin. Proc. Ruling Release No. 4785, 2017 SEC LEXIS 1312, at \*1 (ALJ May 3, 2017). After that conference, I set a motions schedule. *Id.* Under that schedule, the parties had not yet filed any motions or submitted any evidence when the Commission stayed this proceeding.

In light of the foregoing, I make the following determinations. All actions I took and orders I issued in this case before November 30, 2017, are ratified. *See Wilkes-Barre Hosp. Co. v. NLRB*, 857 F.3d 364, 371–72 (D.C. Cir. 2017). Given the procedural posture of this case before it was stayed, the deadlines

---

<sup>1</sup> The parties should familiarize themselves with the Order, which is located here: <https://www.sec.gov/litigation/opinions/2017/33-10440.pdf>.

contemplated in the Order do not apply. The previously established briefing schedule is modified to allow the Division of Enforcement to file a dispositive motion by January 5, 2018. Respondent's response is due by January 26, 2018. The Division may file a reply by February 2, 2018.

---

James E. Grimes  
Administrative Law Judge