

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

ADMINISTRATIVE PROCEEDINGS RULINGS  
Release No. 5387/December 15, 2017

ADMINISTRATIVE PROCEEDING  
File No. 3-17550

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In the Matter of

TOD A. DITOMMASO, ESQ.

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ORDER

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The Securities and Exchange Commission instituted this proceeding with an Order Instituting Proceedings (OIP) on September 16, 2016, pursuant to Section 8A of the Securities Act of 1933. On March 21, 2017, the undersigned concluded that Tod A. DiTommaso, Esq., violated Sections 5(a) and 5(c) of the Securities Act through his issuance of ten attorney opinion letters; on June 13, 2017, she ordered him to pay disgorgement of \$1,475 and a civil penalty of \$1,475. *Tod A. DiTommaso, Esq.*, Admin. Proc. Rulings Release No. 4698, 2017 SEC LEXIS 848 (A.L.J. Mar. 21, 2017); Initial Decision Release No. 1142, 2017 SEC LEXIS 1716 (A.L.J. June 13, 2017).

The parties' attention is directed to the Commission's November 30, 2017, order concerning administrative proceedings. *Pending Admin. Proc.*, Securities Act Release No. 10440, 2017 SEC LEXIS 3724 (Remand Order). The Remand Order ratifies the appointment of the undersigned as an Administrative Law Judge and directs her to "[r]econsider the record, including all substantive and procedural actions taken by an administrative law judge" in proceedings, such as this one, pending before the Commission in which she has issued an initial decision. Examination of the record discloses that the Chief Administrative Law Judge has ratified her designation of the undersigned as the presiding administrative law judge in this proceeding.<sup>1</sup> Pursuant to the Remand Order, any party may submit any new evidence relevant to the undersigned's reexamination of the record by January 5, 2018. If a party submits new evidence, the other party may comment on it by January 19, 2018.

IT IS SO ORDERED.

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

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<sup>1</sup> See *Tod A. DiTommaso, Esq.*, Admin. Proc. Rulings Release No. 4169, 2016 SEC LEXIS 3511 (C.A.L.J. Sept. 19, 2016); *Pending Admin. Proc.*, Admin. Proc. Rulings Release No. 5247, 2017 SEC LEXIS 3780 (C.A.L.J. Dec. 4, 2017) (designating, and ratifying the designation of, the undersigned).