

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

Administrative Proceedings Rulings  
Release No. 5495 / January 22, 2018

Administrative Proceeding  
File No. 3-18095

In the Matter of

**AV Therapeutics, Inc.,  
Balgon Corporation,  
Empress Mining Inc. (f/k/a  
Penola, Inc.), and  
Passport Potash, Inc.**

**Order Ratifying Actions**

The Securities and Exchange Commission remanded this case to me following the issuance of an initial decision. *See Pending Admin. Proc.*, Securities Act of 1933 Release No. 10440, 2017 SEC LEXIS 3724 (Nov. 30, 2017). Consistent with the Commission's remand order, the remaining parties were given the opportunity to submit new evidence by January 5, 2018, that they deemed relevant to my reexamination of the record. *See AV Therapeutics, Inc.*, Admin Proc. Rulings Release No. 5339, 2017 SEC LEXIS 3992 (ALJ Dec. 8, 2017). The Division of Enforcement submitted a letter urging that I ratify my prior rulings, including the initial decision. No other submissions have been received.

Upon reconsideration of the record, I find nothing that requires revision. Therefore, I RATIFY all prior actions taken by an administrative law judge in this proceeding.<sup>1</sup> The process contemplated by the Commission's November 30 order is complete.

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Cameron Elliot  
Administrative Law Judge

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<sup>1</sup> My designation as the presiding administrative law judge in this proceeding has already been ratified. *Pending Admin. Proc.*, Admin. Proc. Rulings Release No. 5247, 2017 SEC LEXIS 3780 (ALJ Dec. 4, 2017).