

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

Administrative Proceedings Rulings
Release No. 5563 / February 1, 2018

Administrative Proceeding
File No. 3-18127

In the Matter of
Martin Shkreli

**Order Following
Prehearing Conference**

During yesterday's prehearing conference I set a briefing schedule for the Division of Enforcement's motion for reconsideration of my order denying in part its motion for summary disposition.¹ The Division's brief is due February 9, 2018, Shkreli's opposition is due February 23, and the Division's reply is due February 28.

I also asked the parties to confer and submit a joint letter by February 9, 2018, providing their availability for a hearing in April or May 2018, and discussing the hearing location. As my colleague has noted, conducting a hearing involving a respondent who is in custody raises unique issues relating to, among other things, the Commission's Rules of Practice and logistical concerns.² I urge the parties to take these concerns into consideration during their discussions of how best to conduct the hearing.

James E. Grimes
Administrative Law Judge

¹ See *Martin Shkreli*, Admin. Proc. Rulings Release No. 5233, 2017 SEC LEXIS 3638 (ALJ Nov. 17, 2017).

² See *Gary L. McDuff*, Admin. Proc. Rulings Release No. 3934, 2016 SEC LEXIS 2191, at *5–10 (ALJ June 22, 2016).