

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

Administrative Proceedings Rulings  
Release No. 6086 / September 26, 2018

Administrative Proceeding  
File No. 3-15168

In the Matter of

**John J. Aesoph, CPA**  
**Darren M. Bennett, CPA**

**Order Following Reassignment**

On August 22, 2018, the Securities and Exchange Commission remanded all pending proceedings to the Office of Administrative Law Judges to give respondents “the opportunity for a new hearing before an ALJ who did not previously participate in the matter.” *Pending Admin. Proc.*, Securities Act of 1933 Release No. 10536, 2018 WL 4003609, at \*1.<sup>1</sup> The Commission’s Chief Administrative Law Judge assigned me to this case on September 12, 2018. *See Pending Admin. Proc.*, Admin. Proc. Rulings Release No. 5955, 2018 SEC LEXIS 2264.

In light of the Commission’s order, the parties are directed to confer about the conduct of further proceedings in this matter. By October 16, 2018, the parties should submit a joint proposal for the conduct of these proceedings, including a prehearing, hearing, and posthearing schedule.<sup>2</sup> The

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<sup>1</sup> The parties should review the Commission’s order, which can be found at <https://www.sec.gov/litigation/opinions/2018/33-10536.pdf>. In particular, the Commission directed that this proceeding will be governed by the Commission’s Rules of Practice as amended on July 13, 2016. *Pending Admin. Proc.*, 2018 WL 4003609, at \*2.

<sup>2</sup> In considering possible dates to start the hearing, the parties should review Rule of Practice 360(a)(2)(ii) and the Commission’s guidance in amending Rule 360, giving particular attention to the admonition that “the maximum prehearing period should be the exception rather than the norm.”

(continued...)

parties' proposal should reflect any agreement regarding service of the order instituting proceedings and address the numbered items referenced in 17 C.F.R. § 201.221(c). The parties should also propose times between October 17 and 26, 2018, to hold a telephonic prehearing conference.

If the parties are unable to agree, they may submit separate proposals. If the Division of Enforcement is unable to contact Respondents, it should submit a notice to that effect by October 16.

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James E. Grimes  
Administrative Law Judge

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Amendments to the Commission's Rules of Practice, 81 Fed. Reg. 50,212, 50,214 & n.18 (July 29, 2016); *see* 17 C.F.R. § 201.360(a)(2)(ii).