

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

Administrative Proceedings Rulings  
Release No.6200 / October 16, 2018

Administrative Proceeding  
File No. 3-17115

In the Matter of  
**Louis V. Schooler**

**Order Following  
Prehearing Conference**

On October 11, 2018, I held a telephonic prehearing conference. Before going on the record, I had a brief conversation with counsel for the Division of Enforcement and Philip H. Dyson, counsel for Respondent Louis V. Schooler, in which Mr. Dyson reiterated his inability to represent Schooler due to Schooler's death. Mr. Dyson stated that he did not intend to participate further. Later, during the conference, the Division conceded that Respondent is deceased.<sup>1</sup>

I find that Schooler is deceased. *Accord SEC v. Schooler*, No. 16-55167, 2018 WL 4608227, at \*6 (9th Cir. Sept. 26, 2018) (vacating a civil penalty on account of Louis Schooler's death). Because Schooler is deceased, Mr. Dyson cannot comply with the requirement that his notice of withdrawal be served on Schooler. *See* 17 C.F.R. § 201.102(d)(4); *BDO China Dahua CPA Co.*, Exchange Act Release No. 72134, 2014 WL 1871077, at \*2 & n.11 (May 9, 2014). I therefore deem Mr. Dyson's withdrawal effective under my authority to do what is necessary and appropriate to regulate this proceeding. *See* 17 C.F.R. § 201.111.

The Division stated that it has no objection to dismissing this proceeding as moot due to Respondent's death. I deem that to be an oral motion to

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<sup>1</sup> In July 2017, the United States Department of State issued a "Report of Death of a U.S. Citizen or U.S. Non-Citizen National Abroad," stating that Schooler was "reported missing, believed to be dead." Schultze Decl. Ex. 1; *see* 22 C.F.R. § 72.5.

discontinue this proceeding. I refer this motion to the Chief Administrative Law Judge. *See* 17 C.F.R. § 200.30-10(a)(8) (delegating to the Chief Administrative Law Judge the authority to “discontinue administrative proceedings as to a particular respondent who has died”).

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James E. Grimes  
Administrative Law Judge