

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

Administrative Proceedings Rulings
Release No. 6239 / October 22, 2018

Administrative Proceeding
File No. 3-17907

In the Matter of
Anthony C. Zufelt

**Notice of Telephonic
Prehearing Conference**

The Securities and Exchange Commission initiated this proceeding on April 7, 2017. The order instituting proceeding (OIP) alleges that Respondent was permanently enjoined from future violations of Section 10(b), Rule 10b-5, and Section 15(a) of the Securities Exchange Act of 1934 and Sections 17(a), 5(a) and 5(c) of the Securities Act of 1933 in *SEC v. Zufelt*, 2:10-cv-00574 (D. Utah Oct. 7, 2016). Respondent represents himself.

An administrative law judge issued an initial decision on March 1, 2018, based on a dispositive motion filed by the Division of Enforcement, and the Commission issued a finality order on May 17, 2018. *Anthony C. Zufelt*, Exchange Act Release No. 83277, 2017 SEC LEXIS 1164 (May 17, 2018), <https://www.sec.gov/alj/aljdec/2018/34-83277.pdf>. On August 22, 2018, the Commission vacated the initial decision and remanded this proceeding and many others with directions that all respondents be given a new hearing before an administrative law judge who had not participated in the proceeding previously. *Pending Admin. Proc.*, Securities Act of 1933 Release No. 10536, 2018 SEC LEXIS 2058. This proceeding was assigned to me. *Pending Admin. Proc.*, Admin. Proc. Rulings Release No. 5955, 2018 SEC LEXIS 2264 (ALJ Sept. 12, 2018).

On October 10, 2018, the Division filed a written statement at my request to the parties. The Division requests that it be allowed to file a motion for summary disposition by November 9, 2018, to address whether Respondent should be barred from association with a broker or dealer and from participating in a penny stock offering. The Division represents that it has communicated with Respondent who was “unwilling or unable” to address how he would like to proceed.

Ruling

I ORDER a telephonic prehearing conference on November 15, 2018, at 2:00 p.m. Eastern Time. The purpose of the conference is to make sure that the *pro se* Respondent knows that he is entitled to a new hearing. We will also discuss a briefing schedule at that time.

Brenda P. Murray
Chief Administrative Law Judge