

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

Administrative Proceedings Rulings  
Release No. 6246 / October 23, 2018

Administrative Proceeding  
File No. 3-18129

In the Matter of  
**Brian Michael Berger**

**Order Finding Service and  
Directing Respondent to Show  
Cause**

Based on the filing made by the Division of Enforcement on October 22, 2018, I have determined that Respondent Brian Michael Berger was served with the order instituting proceedings (OIP) on or around August 29, 2017, at the Miami Federal Correctional Institution. 17 C.F.R. § 201.141(a)(2)(i). His answer is thus long overdue. OIP at 3; 17 C.F.R. § 201.220(b).

I ORDER Berger to SHOW CAUSE by November 13, 2018, why he should not be found in default due to his failure to file an answer or otherwise defend this proceeding. *See Pending Admin. Proc.*, Securities Act of 1933 Release No. 10536, 2018 WL 4003609, at \*1 (Aug. 22, 2018) (“[I]f a party fails to submit a proposal, the ALJ may enter a default against that party . . . .”); 17 C.F.R. §§ 201.155(a)(2), .220(f).

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James E. Grimes  
Administrative Law Judge