

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

Administrative Proceedings Rulings
Release No. 6308 / November 7, 2018

Administrative Proceeding
File No. 3-18534

In the Matter of
Jason A. Halek

**Order Finding Service,
Setting Answer Deadline, and
Scheduling Prehearing
Conference**

On June 7, 2018, the Securities and Exchange Commission issued an order instituting proceedings (OIP) against Jason A. Halek. The proceeding was reassigned to me on September 12, 2018. *Pending Admin. Proc.*, Admin. Proc. Rulings Release No. 5955, 2018 SEC LEXIS 2264, at *2, *4 (ALJ). The parties were provided the opportunity to propose how further proceedings should be conducted. *Jason A. Halek*, Admin. Proc. Rulings Release No. 6097, 2018 SEC LEXIS 2615, at *1-2 (ALJ Sept. 26, 2018). And both submitted proposals on October 16, 2018. The Division of Enforcement proposed that I set a new procedural schedule, starting with an answer deadline. Halek, in an email,¹ requested ninety days to obtain counsel.

After independently reviewing the declaration that the Division submitted on June 14, 2018, before this proceeding was reassigned, I find that it establishes that Halek was personally served with the OIP on June 13, 2018. 17 C.F.R. § 201.141(a)(2)(i). Halek's answer would have been due by July 3, 2018, if not for the Commission's stay of all pending administrative proceedings on June 21, 2018. *Pending Admin. Proc.*, Securities Act of 1933 Release No. 10510, 2018 SEC LEXIS 1490; *see* OIP at 3; 17 C.F.R. §§ 201.160, .220(b). When the Commission allowed the stay to expire on August 22, 2018, it vacated all pending deadlines. *Pending Admin. Proc.*, Securities Act

¹ The parties are reminded that all submissions should be filed with the Office of the Secretary and served on all parties as required by the Rules of Practice. *See* 17 C.F.R. §§ 201.150-.153.

Release No. 10536, 2018 SEC LEXIS 2058, at *2-3. I therefore need to set a new due date for Halek's answer.

Because he has already had considerable time during which to retain counsel, I will not grant Halek the full ninety days that he requested. I will, however, exercise my authority under the Commission's August 22 order and the Rules of Practice to ORDER Halek to file his answer by December 11, 2018, which gives him two extra weeks to respond. *See id.* at *3-4; 17 C.F.R. § 201.161(a).

I FURTHER ORDER that a telephonic prehearing conference will be held on December 13, 2018, at 10:00 a.m. EST. The parties should be prepared to discuss the topics listed in Rule of Practice 221(c), 17 C.F.R. § 201.221(c), and the procedural schedule proposed by the Division.

Brenda P. Murray
Chief Administrative Law Judge