

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 6387/December 6, 2018

ADMINISTRATIVE PROCEEDING
File No. 3-15006

In the Matter of

RAYMOND J. LUCIA COMPANIES, INC., and :
RAYMOND J. LUCIA, SR. : ORDER

The Securities and Exchange Commission instituted this proceeding on September 5, 2012. On July 8, 2013, an Initial Decision imposed various sanctions on Respondents. *See Raymond J. Lucia Cos.*, Initial Decision Release No. 495, 2013 SEC LEXIS 1973 (A.L.J.); *supplemented*, Initial Decision Release No. 540, 2013 SEC LEXIS 3856 (A.L.J. Dec. 6, 2013); *opinion of the Commission*, Exchange Act Release No. 75837, 2015 SEC LEXIS 3628 (Sept. 3, 2015); 832 F.3d 277 (D.C. Cir. 2016) (denying petition for review); 868 F.3d 1021 (D.C. Cir. 2017) (on rehearing *en banc* by an equally divided court, denying petition for review); 138 S. Ct. 2044 (2018) (reversing and remanding), No. 15-1345, 736 F. App'x 2 (2018) (setting aside Commission decision and remanding to Commission for a new hearing). As a result, the Commission ordered that Respondents “be provided with the opportunity for a new hearing before an ALJ who did not previously participate in the matter,” and that “the ALJ shall issue an order directing the parties to submit proposals for the conduct of further proceedings”; the proceeding was reassigned to the undersigned. *Pending Admin. Proc.*, Securities Act Release No. 10536, 2018 SEC LEXIS 2058, at *2-4 (Aug. 22, 2018) (August 22 Order); Admin. Proc. Rulings Release No. 5955, 2018 SEC LEXIS 2264 (C.A.L.J. Sept. 12, 2018). The undersigned issued the required order on October 2, 2018. *Raymond J. Lucia Cos.*, Admin. Proc. Rulings Release No. 6133, 2018 SEC LEXIS 2719 (October 2 Order).

The October 2 Order ordered the parties to submit proposals for the conduct of further proceedings by November 30, 2018. Respondents submitted a motion to dismiss the proceeding on November 29, and, on November 30, the parties submitted a joint proposal for the conduct of further proceedings, in which Respondents joined notwithstanding their objection to the reinstated proceeding and without waiving any argument. The parties also filed a joint motion to extend the due date to December 21, 2018, for the Division of Enforcement’s response to the motion to dismiss. The Division’s response to the motion to dismiss will be due on December 21, 2018. The undersigned will rule on the proposal for the conduct of further proceedings after her ruling on the motion to dismiss.

IT IS SO ORDERED.

/S/ Carol Fox Foelak
Carol Fox Foelak
Administrative Law Judge