

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

Administrative Proceedings Rulings
Release No. 6662 / August 27, 2019

Administrative Proceeding
File No. 3-15124

In the Matter of

**David F. Bandimere and
John O. Young**

**Order Following Final
Prehearing Conference**

I held a prehearing conference yesterday attended by counsel for Respondent David F. Bandimere and the Division of Enforcement. This order memorializes the rulings I made during the conference.

1. My previous order provided the parties guidance as to their objections to each other's summary exhibits. During the conference, I ordered Bandimere to provide the electronic data underlying his Exhibits 250 through 258 to the Division by August 30, 2019. The Division announced that it was withdrawing its Exhibit 164 and removing Michael Hennigan from its witness list except as a possible rebuttal witness.
2. Both parties have included some of the Division's interview notes on their exhibit lists. I ordered the parties to confer about their objections to these exhibits and provide an update by letter to my office by September 3, 2019.
3. To the extent that the Division might request that I hold the hearing record open to accommodate taking the testimony of two witnesses, it must file motions in support of those requests. I will rule on those requests, if they are made, after considering the motions and supporting evidence and any oppositions filed to the motions.

4. I will rule on the parties' relevance, reliability, and hearsay objections to exhibits as they are offered at the hearing.

James E. Grimes
Administrative Law Judge