

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

Administrative Proceedings Rulings  
Release No. 6913 / January 2, 2025

Administrative Proceeding  
File No. 3-20828

In the Matter of  
  
**Gregory Lemelson<sup>1</sup>**

**Order on Subpoena Requests**

The Division of Enforcement submitted two subpoena requests, one for Respondent Lemelson to appear and testify at a deposition and one for various categories of documents and other electronic data, also directed to Lemelson.

The deposition subpoena is denied without prejudice. Because the Commission directed that this proceeding follow the 75-day timeline under 17 C.F.R. § 201.360(a)(2), I may not issue a subpoena or grant a party's request to file a notice of deposition unless the party shows that the requirements of Rule 233(b) about witness unavailability are met. 17 C.F.R. § 201.233(a), (b); *see* 17 C.F.R. § 201.232(a) (a deposition subpoena is subject to Rule 233); Order Convening Public Hearing, at 5, Investment Advisers Act of 1940 Release No. 6755 (Oct. 23, 2024), <https://www.sec.gov/files/litigation/opinions/2024/ia-6755.pdf> ("This proceeding shall be deemed to be one under the 75-day timeframe specified in Rule of Practice 360(a)(2)(i) for the purposes of applying Rules of Practice 233 and 250."). The Division may file a motion explaining why Rule 233(b) applies to this deposition.

Alternatively, if the parties mutually agree to take Respondent's testimony under oath before the hearing without a subpoena or filing a notice of deposition, they may do so.

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<sup>1</sup> Respondent now goes by his ecclesiastical name, Father Emmanuel Lemelson.

For the subpoena to produce documents, Respondent may file a motion to quash or modify by January 15, 2025. The Division may respond by January 22, 2025.

/s/ Jason S. Patil  
Administrative Law Judge