



UNITED STATES OF AMERICA
BEFORE THE
SECURITIES AND EXCHANGE COMMISSION

ADMINISTRATIVE PROCEEDING

FILE NO. 3-15141

In the Matter of)
)
MOHAMMED RIAD AND) MOTION TO DISMISS
KEVIN TIMOTHY SWANSON)
)
Respondents.)

Dated: November 19, 2015

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Pursuant to Rules 154(a) and 411(d) of the Securities and Exchange Commission's ("SEC" or the "Commission") Rules of Practice, Respondents Mohammed Riad and Kevin Timothy Swanson (collectively, the "Respondents") hereby petition the Commission to dismiss this matter on the basis that:

1. This matter was tried before an Administrative Law Judge who was not properly appointed, in violation of the Appointments Clause of the United States Constitution, Article II, Section 2, clause.
2. Respondents were deprived of equal protection of the law, in contravention of the Fifth Amendment of the United States Constitution, because the Commission proceeded against them administratively rather than in federal district court.

For the reasons set forth in the accompanying brief in support of this motion, Respondents respectfully urge the Commission to dismiss this action.

November 19, 2015

Respectfully submitted,

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