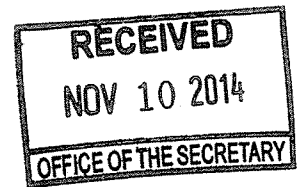


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**UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION**

**ADMINISTRATIVE PROCEEDING
File No. 3-15918**



In the Matter of

DENNIS J. MALOUF

Respondent.

**UNOPPOSED MOTION TO EXTEND TIME
FOR FILING PREHEARING BRIEFS**

Respondent Dennis Malouf moves for good cause, and pursuant to Rule 161 of the Commission's Rules of Practice, to extend the time for the parties to file their prehearing briefs from Wednesday, November 5, 2014, through and including Friday, November 7, 2014. Respondent has conferred with the Securities and Exchange Commission Division of Enforcement ("**Division**") regarding the requested extension, and the Division does not object to Respondent's request. In support of his motion, Respondent states as follows:

1. On October 28, 2014, non-party UASNM, Inc. was ordered to produce documents responsive to a subpoena issued by Respondent. Respondent received documents from UASNM that purport to be responsive to that subpoena on Monday, November 4, 2014. Respondent has started to review the documents that have been produced and determined that UASNM's production consists of over 1,900 individual files, each of which appears to be comprised of anywhere from one to several hundred pages. Based upon Respondent's limited review of the documents so far it also appears that, as feared, UASNM has produced a number of documents that were already produced to the Division during their investigation or to Respondent during the state court proceeding.

2. Given UASNM's involvement in the purported conduct underlying these proceedings, and the potential that documents produced by UASNM may be highly relevant to Respondent's defense of this matter, Respondent would like an opportunity to review as many of

the documents recently produced by UASNM as possible prior to filing his prehearing brief. In light of the substantial number of documents produced by UASNM, Respondent does not believe he will have a sufficient opportunity to review them prior to the current November 5, 2014 filing deadline. Respondent therefore requests that the parties' deadline to submit pre-hearing briefs be extended to Friday, November 7, 2014.

3. Respondent does not expect to be able to review all of the documents produced before November 7, but believes that the requested extension will permit a substantial review without impeding this proceeding.

4. Respondent is also seeking the requested extension so that he may have an opportunity to review documents that he expects to be produced by ACA Compliance Group. Pursuant to the November 3, 2014 order on ACA's Application to Quash, ACA has been directed to produce documents responsive to the second subpoena issued to ACA. Respondent is attempting to obtain these documents prior to November 7, 2014. In addition, Respondent recently inquired of ACA's counsel as to why ACA's productions to the SEC and Respondent appear to be devoid of any notes from the on-site visits and mock SEC examinations ACA conducted for UASNM. Respondent learned during a telephone call with ACA's counsel today that ACA is in possession of three boxes containing hard copies of documents related to the work it performed for UASNM. These boxes were stored "off-site" and were not previously reviewed by ACA during the SEC's investigation or in responding to either of Respondent's subpoenas.¹ See Exhibit A, November 4, 2014 email from Glenn Cline to Robert Jamieson. ACA is in the process of retrieving those boxes to review them for documents responsive to Respondent's subpoenas, and is expected to produce additional responsive documents this week. *Id.*

¹ Because these boxes were not reviewed in the course of responding to the SEC's subpoena issued during its investigation, these documents are presumably not part of the SEC's investigative file that was produced to Respondent.

5. Respondent does not believe that the brief extension requested will affect the hearing officer's ability to complete this proceeding in the time specified.

WHEREFORE, Respondent respectfully requests that the time for the parties to file prehearing briefs be extended from Wednesday, November 5, 2014, through Friday, November 7, 2014.

Respectfully submitted,



Dated this 4th day of November, 2014

Burton W. Wiand, FBN 407690
Peter B. King, FBN 0057800
Robert K. Jamieson, FBN 0072018
WIAND GUERRA KING P.L.
5505 West Gray St.
Tampa, FL 33609
Telephone: (813) 347-5100
Fax: (813) 347-5198

ATTORNEYS FOR RESPONDENT DENNIS J. MALOUF

CERTIFICATE OF SERVICE

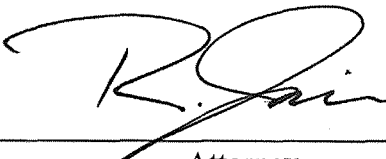
I HEREBY CERTIFY that I have caused a copy of the foregoing to be served via U.S.

Mail and/or e-mail (as indicated below) to the following this 4th day of November, 2014:

Office of the Secretary
Securities and Exchange Commission
100 F Street, N.E.
Washington, D.C. 20549
Fax: 703-813-9793
(Original and three copies via U.S. Mail)

Honorable Jason S. Patil
Administrative Law Judge
100 F Street, N .E. Mail
Stop 2582
Washington, D.C. 20549
(Courtesy copy by E-Mail)

Stephen C. McKenna
Dugan Bliss
Attorney for Division
Securities and Exchange Commission
Byron G. Rodgers Federal Building
1961 Stout Street, Suite 1700
Denver, CO 80294-1961
(Copy by U.S. Mail and E-Mail)



Attorney

EXHIBIT A

Robert Jamieson

From: Glenn Cline <gcline@acacompliancegroup.com>
Sent: Tuesday, November 04, 2014 2:53 PM
To: Robert Jamieson
Cc: Peter King; Jeffrey Rizzo
Subject: RE: Dennis Malouf/Subpoena to ACA Compliance Group

Rob, this e-mail confirms our telephone conversation from earlier this afternoon about the requested notes from the onsite inspections of UASNM. As we discussed, ACA did not originally search its off-site hard copy files in storage, based on the 12/18/12 e-mail exchange between ACA's general counsel and Mr. Mulhern limiting the efforts necessary to respond to the SEC subpoena. After I received your inquiry, I checked to determine the number of files stored offsite, and determined that three of the 220 boxes stores offsite are identified as being associated with work performed for UASNM. ACA is retrieving those three boxes and I will search them for documents responsive to Mr. Malouf's subpoenas. I understand from our conversation that you consider this to be a reasonable effort to locate responsive documents. I hope to have the additional responsive documents for you later this week, and will keep you updated on my progress. Regards,

Glenn Cline
ACA Compliance Group | Assistant Counsel
8403 Colesville Rd, Ste. 870, Silver Spring, MD 20910
Office 301-495-7850 | Fax 301-495-7857
gcline@acacompliancegroup.com
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From: Glenn Cline
Sent: Thursday, October 30, 2014 1:46 PM
To: 'Robert Jamieson'
Cc: Peter King; Jeffrey Rizzo
Subject: RE: Dennis Malouf/Subpoena to ACA Compliance Group

Rob, thanks for your e-mail. I will let Mr. Kishore know that his testimony will be via phone or videoconference. Would you let me know as soon as you have finished your anticipated trial schedule, so we can narrow down the date and time at which he will likely be testifying? On our end, it would be helpful for scheduling purposes.

With respect to the first subpoena response, we are looking at the issue raised below, and will get back to you.

Glenn Cline
ACA Compliance Group | Assistant Counsel
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From: Robert Jamieson [mailto:RJamieson@wiandlaw.com]
Sent: Thursday, October 30, 2014 11:15 AM
To: Glenn Cline