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# UNITED STATES OF AMERICA Before the SECURITIES AND EXCHANGE COMMISSION

### ADMINISTRATIVE PROCEEDING File No. 3-16336

In the Matter of

**GUY ANDREW WILLIAMS,** 

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Respondent.

## DIVISION OF ENFORCEMENT'S BRIEF IN SUPPORT OF MOTIONS FOR ADJOURNMENT OF HEARING AND PREHEARING CONFERENCE

### **Introduction**

On January 13, 2015, the Securities and Exchange Commission ("Commission") issued an Order Instituting Proceedings ("OIP") against Guy Andrew Williams ("Respondent") to determine what sanctions, if any, are appropriate in the public interest against him based on his convictions for Conspiracy to Commit Mail and Wire Fraud, Mail Fraud, Wire Fraud, and Transactional Money Laundering in June 2013. Respondent was served with the OIP on January 15, 2015 by USPS Certified Mail, which was delivered on January 21, 2015. As of the date of this Motion, Respondent has not served an Answer on the Division of Enforcement ("Division"). Respondent has also failed to respond to the Division's requests to confer about proposed times for a prehearing conference and postponing the hearing currently scheduled to commence on February 10, 2015. Therefore, the Division of Enforcement ("Division") seeks to adjourn the hearing scheduled for February 10, 2015, and schedule a telephonic prehearing conference for February 11, at 2:00 p.m. Eastern Time. The prehearing conference will allow the parties and the Court to determine an efficient manner in which to adjudicate these proceedings.

### Statement of Facts

The Office of the Secretary served Respondent with the OIP by USPS Certified Mail on January 15, 2015, and the OIP was delivered on January 21, 2015. On January 21, 2015, the Division of Enforcement ("Division") served Respondent by USPS Certified Mail with a letter offering the Division's investigative files for inspection and copying pursuant to Rule of Practice 230. On January 21, 2015, the Division of Enforcement served Respondent by USPS Express Mail with the Order Scheduling Hearing and Designating Presiding Judge and a letter proposing a time for the prehearing conference and asking whether Respondent would object to the Division's motion to postpone the February 10, 2015 hearing date. As of the date of this Motion, Respondent has not served an Answer on the Division of Enforcement, nor has he responded to the Division's requests to confer on the prehearing conference time or postponement of the hearing.

#### Motions for Adjournment of Hearing and Prehearing Conference

The Division moves for an order setting aside the February 10, 2015 hearing and in lieu thereof scheduling a telephonic prehearing conference on February 11, 2015 pursuant to Rule 221. Respondent has not responded to the Division's requests to confer. Accordingly, the Division respectfully requests that the prehearing conference be scheduled for February 11, 2015, at 2:00 p.m. Eastern Time. The Division will make arrangements for the telephone conference call and the attendance of a court reporter. Postponing the hearing date and scheduling a prehearing conference will allow the Court to establish an orderly and efficient

2

prehearing schedule for any prehearing motions, and, if necessary, to schedule a mutually

acceptable date for a hearing.

## **Conclusion**

For the reasons set forth above, the Division respectfully requests that the Administrative

Law Judge grant the Division's Motions for Adjournment of Hearing and Prehearing

Conference, and enter an order granting the following relief:

- 1. Setting aside the February 10, 2015 hearing date; and
- 2. Scheduling a telephonic prehearing conference for February 11, 2015, at 2:00 p.m. Eastern Time.

Dated: January 30, 2015

Respectfully submitted,

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COUNSEL FOR DIVISION OF ENFORCEMENT