

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

ADMINISTRATIVE PROCEEDING
File No. 3-16344

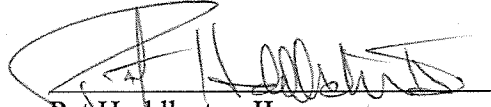
In the Matter of :
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 EDGAR LEE GIOVANNETTI, :
 :
 Respondent. :
 :
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MOTION TO CONVERT HEARING
DATE TO PREHEARING CONFERENCE

Pursuant to Commission Rules of Practice 221(b) and (d), the Division of Enforcement (“Division”) hereby requests that this Court convert the hearing date currently scheduled in this matter for February 9, 2015 to an initial prehearing conference by telephone. As set forth below, this request is for good cause.

The matter was instituted on January 16, 2015 and Respondent (through counsel) accepted service on January 22, 2015. A prehearing conference will be needed for the Division and Respondent to discuss scheduling of the hearing as well as the exchange of prehearing motions and briefs, stipulations, the exchange of exhibit and witness lists, copies of exhibits and other information, to select a desirable location for the hearing, and other matters the Court would like to address. As set forth in Commission Rule of Practice 221(d), a prehearing conference is favored and should be held except where the emergency nature of a proceeding would make a prehearing conference “clearly inappropriate.” This is not an emergency proceeding. The Division believes that a prehearing conference is appropriate here and respectfully asks that the Court grant this motion.

This 22nd day of January, 2015,



Pat Huddleston II

Paul T. Kim
Senior Trial Counsel
404-842-7665
kimpau@sec.gov

Pat Huddleston II
Senior Trial Counsel
404-842-7616
huddlestonp@sec.gov

Securities and Exchange Commission
950 East Paces Ferry Road, NE, Suite 900
Atlanta, GA 30319
404-842-7665
404-842-7679

