

ADMINISTRATIVE PROCEEDING
FILE NO. 3-16946

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

In the Matter of

GEORGE CHARLES CODY PRICE,

Respondents.

Judge Brenda J. Murray

**DIVISION OF ENFORCEMENT'S OPPOSITION TO RESPONDENT'S
REQUEST TO FILE SUR-REPLY**

February 11, 2016

Division of Enforcement
Lynn M. Dean
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The Division of Enforcement (“Division”) respectfully submits this opposition to the request of Respondent George Charles Cody Price for leave to submit a sur-reply on the Division’s pending motion for summary disposition. The Division opposes the request on the grounds that there is no provision in the Commission’s Rules of practice for a sur-reply, but more importantly, a sur-reply is neither warranted nor necessary to deciding the matters raised by the Division’s motion.

To prevail on this proceeding, the Division must establish that: (1) Price has been enjoined from violating the federal securities laws, and (2) it is in the public interest to impose a bar against him. The Division met that burden in its motion for summary disposition. In his opposition brief, Price conceded that the allegations relevant to the Division’s motion for summary disposition are true (Opp. at Section I.B, p. 4), but raised certain items which he argues mitigate against a bar, including is pending FINRA arbitration and his purported cooperation with the SEC and compliance with the underlying judgment against him. The Division rebutted Price’s specious claims in its reply brief, and now Price seeks to proffer his own self-serving deposition testimony and declaration in response. The Division respectfully submits that Price’s unjustified sur-reply does not in fact rebut the statements made in the Division’s reply and the Supplemental Declaration of Lynn M. Dean, is irrelevant to the disposition of the Division’s pending motion, and should not be considered.

Dated: February 11, 2016

Respectfully submitted,

DIVISION OF ENFORCEMENT



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Certificate of Service

I certify that on February 11, 2016, I caused the foregoing to be served on the following persons by the method of delivery indicated below.

Elizabeth M. Murphy, Secretary
Securities and Exchange Commission
100 F. Street, N.E., Mail Stop 1090
Washington, D.C. 20549

(by United Parcel Service)

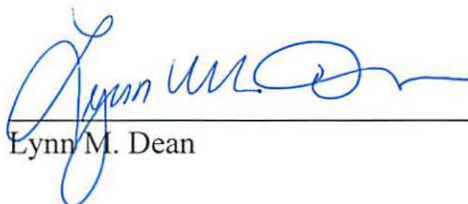
(original and three copies)

Honorable Brenda J. Murray
Administrative Law Judge
100 F Street, N.E., Mail Stop 2557
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(by United Parcel Service and by
email to alj@sec.gov)

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Lynn M. Dean