

UNITED STATES OF AMERICA  
Before the  
SECURITIES AND EXCHANGE COMMISSION



**ADMINISTRATIVE PROCEEDING**

**File No. 3-18017**

**In the Matter of**

**Can-Cal Resources Ltd., et al.,  
Respondents.**

**DIVISION OF ENFORCEMENT'S  
MOTION TO THE  
COMMISSION TO DISMISS  
ADMINISTRATIVE PROCEEDINGS**

The Division of Enforcement (“Division”), by undersigned counsel, hereby moves the Commission to dismiss this proceeding against Respondent Can-Cal Resources Ltd. (“Can-Cal” or “Respondent”) brought pursuant to Section 12(j) of the Securities Exchange Act of 1934 (“Exchange Act”).

**I. PROCEDURAL HISTORY**

The Commission instituted this action on June 8, 2017.<sup>1</sup> At that time, Can-Cal, registered under Section 12 of the Exchange Act, had not filed a periodic report with the Commission since it filed a Form 10-Q for the quarterly period ending September 30, 2015. On June 27, 2018, the then presiding Administrative Law Judge stayed this matter until July 23, 2018,<sup>2</sup> based on the Commission’s Order<sup>3</sup> staying all pending administrative proceedings in light of the Supreme Court’s decision in *Lucia v. SEC*, 138 S. Ct. 2044 (2018). On July 20, 2018, the stay was

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<sup>1</sup> Exchange Act. Rel. No. 80892 (June 8, 2017).

<sup>2</sup> AP Rulings Rel. No. 5871 (June 27, 2018).

<sup>3</sup> Securities Act Rel. No. 10510 (June 21, 2018).

extended until August 22, 2018.<sup>4</sup> The stay was thereafter lifted,<sup>5</sup> and the matter was reassigned to a different ALJ.<sup>6</sup> Finally, on March 18, 2019, this matter was reassigned to the current ALJ.<sup>7</sup>

## II. REQUEST FOR DISMISSAL

In the interim of this lengthy procedural history, Can-Cal became current on the filings alleged to have been delinquent in the OIP. Moreover, as a result of *Lucia* and the Commission's post-*Lucia* orders, the proceeding has, in effect, started over with Can-Cal now having cured the delinquencies alleged in the OIP. Accordingly, the Division believes it prudent in these unique circumstances for the Commission to exercise its discretion to dismiss this matter. The Division will be carefully monitoring Can-Cal to ensure its compliance with future required periodic filings and other requirements of a publicly traded company.

### Conclusion

For the reasons set forth above, the Division respectfully requests that the Commission order the dismissal of the Order Instituting Administrative Proceedings against Can-Cal.

Dated: April 5, 2019

Respectfully submitted,



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<sup>4</sup> Securities Act Rel. No. 10522 (July 20, 2018); AP Rulings Rel. No. 5901 (July 20, 2018).

<sup>5</sup> Securities Act Rel. No. 10536 (Aug. 22, 2018); AP Rulings Rel. No. 5954 (Aug. 23, 2018).

<sup>6</sup> AP Rulings Rel. No. 5955, at 2 (Sept. 12, 2018).

<sup>7</sup> AP Rulings Rel. No. 6509 (March 18, 2019).

**CERTIFICATE OF SERVICE**

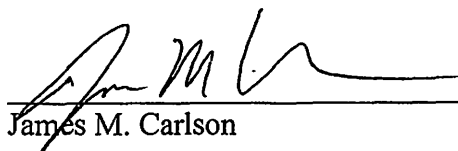
I hereby certify that true copies of the Division of Enforcement's Motion to the Commission to Dismiss the Administrative Proceedings were served on the following on this 5<sup>th</sup> day of April, 2019, in the manner indicated below:

By Email:

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