

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

ADMINISTRATIVE PROCEEDING
File No. 3-21206

In the Matter of

DANIEL THOMAS BROYLES,

Respondent.

THE PARTIES' PREHEARING CONFERENCE STATEMENT
AND RESPONSE TO COMMISSION'S ORDER OF FEBRUARY 12, 2025

The Division of Enforcement (the "Division") and Respondent Daniel Thomas Broyles respectfully submit this Prehearing Conference Statement and Response to the Commission's February 12, 2025 Order Discharging the Order to Show Cause and Directing Prehearing Conference. *See Daniel Thomas Broyles*, Securities Exchange Act Rel. No. 102403 (Feb. 12, 2025) (the "Order"). The Order directed the parties to: (1) conduct a prehearing conference by March 26, 2025; and (2) file a statement advising the Commission of any agreements reached, including any agreement to settle the proceeding.

On March 11, 2025, the Division filed a status report indicating that Broyles had provided a signed Offer of Settlement to the undersigned. In response to the Order, the parties were able to make contact by phone and conducted a prehearing conference on April 2, 2025 confirming that Broyles intends to fully settle this matter. The Division is presently seeking authority from the Commission to accept Broyle's signed offer. Nevertheless, pursuant to the Order, the Division of Enforcement and Respondent Daniel Thomas Broyles hereby submit their Prehearing Conference Statement.

Rule of Practice 221(c)

(1) Simplification and clarification of the issues.

The parties submit that there are no issues as the case will be fully resolved by a settlement.

(2) Exchange of witness and exhibit lists and copies of exhibits.

The parties submit that there is no need to exchange witness and exhibit lists as the case will be resolved by a settlement.

(3) Timing of expert witness disclosures and reports, if any.

The parties do not anticipate retaining any expert witnesses in connection with this Matter as the case will be resolved by a settlement.

(4) Stipulations, admissions of fact, and stipulations concerning the contents, authenticity, or admissibility into evidence of documents.

The parties do not anticipate submitting stipulations concerning admissible evidence at trial as the case will be resolved by a settlement.

(5) Matters of which official notice may be taken.

The parties are not aware of matters for which official notice should be taken given that the case will be resolved by a settlement.

(6) The schedule for exchanging prehearing motions or briefs.

The parties have not developed a schedule for exchanging motions as the case will be resolved by a settlement.

(7) The method of service for papers other than Commission orders.

The parties have agreed to service by email.

(8) The filing of any motion pursuant to § 201.250.

The parties do not anticipate filing any such motions.

(9) *Settlement of any or all issues.*

The parties have discussed and the Division has received a signed settlement offer from Broyles.

(10) *Determination of hearing dates.*

The parties have not determined that a hearing date is necessary at this time as they are presently trying to reach a settlement.

(11) *Amendments to the order instituting proceedings or answers thereto.*

The parties do not anticipate any such amendments.

(12) *Production, and timing for completion of the production, of documents as set forth in § 201.230, and prehearing production of documents in response to subpoenas duces tecum as set forth in § 201.232.*

The parties do not propose timing for discovery as they are seeking to settle the case.

(13) *Specification of procedures as set forth in § 201.202.*

The parties have not discussed the Rule 202 procedures as they are trying to settle the case.

(14) *Depositions to be conducted, if any, and date by which depositions shall be completed.*

The parties do not plan to take any depositions as they are trying to settle the case.

(15) *Such other matters as may aid in the orderly and expeditious disposition of the proceeding.*

There are no other matters that the parties have addressed.

Dated: April 2, 2025

/s/ Matt Kahn

Matt Kahn (FL Bar No. 72032)
U.S. Securities and Exchange Commission
100 F Street, NE
Washington, DC 20549
Office: (202) 551-7844
KahnMat@sec.gov