

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES ACT OF 1933
Release No. 9609 / July 2, 2014

SECURITIES EXCHANGE ACT OF 1934
Release No. 72527 / July 2, 2014

INVESTMENT ADVISERS ACT OF 1940
Release No. 3870 / July 2, 2014

INVESTMENT COMPANY ACT OF 1940
Release No. 31147 / July 2, 2014

Admin. Proc. File No. 3-15446

In the Matter of

J.S. OLIVER CAPITAL MANAGEMENT, L.P.,
IAN O. MAUSNER, and
DOUGLAS F. DRENNAN

ORDER GRANTING
EXTENSION

Chief Administrative Law Judge Brenda P. Murray has moved, pursuant to Commission Rule of Practice 360(a)(3),¹ for an extension of thirty days to issue the initial decision in this proceeding. As discussed below, we grant her motion.

On August 30, 2013, we issued an Order Instituting Administrative and Cease-and-Desist Proceedings ("OIP") against J.S. Oliver Capital Management, L.P., a registered investment adviser; Ian O. Mausner, the founder, president, head portfolio manager, and sole control person of J.S. Oliver; and Douglas F. Drennan, a portfolio manager and the chief compliance officer of J.S. Oliver.² The OIP alleges that J.S. Oliver and Mausner engaged in two distinct schemes in violation of antifraud provisions: "fraudulent trade allocation by 'cherry-picking' favorable trades for J.S. Oliver's affiliated hedge fund clients to the detriment of other, unfavored client

¹ 17 C.F.R. § 201.360(a)(3).

² *J.S. Oliver Capital Mgmt., L.P.*, Securities Exchange Act Release No. 30682, 2013 WL 4647195 (Aug. 30, 2013).

accounts, and misusing client commission credits called 'soft dollars.'"³ The OIP further alleges that Drennan willfully aided and abetted, and caused, J.S. Oliver's and Mausner's violations concerning the misuse of soft dollars.

The initial decision in this proceeding is currently due by July 7, 2014. In requesting an extension, Chief Judge Murray asserts that the workload in her office "is at an all-time high,"⁴ the hearing for this proceeding lasted five days, and the last brief was not filed until April 11, 2014. She further states that she hopes to issue the initial decision by the current deadline but is requesting an extension "out of an abundance of caution."

We adopted Rule of Practice 360(a) to enhance the timely and efficient adjudication and disposition of Commission administrative proceedings by setting deadlines for issuance of an initial decision.⁵ That rule provides, however, for deadline extensions under certain circumstances if supported by a motion from the Chief Administrative Law Judge and if it appears, as here, that "additional time is necessary or appropriate in the public interest."⁶

Accordingly, IT IS ORDERED that the deadline for filing the initial decision in this proceeding is extended to August 6, 2014.

By the Commission.

Lynn M. Powalski
Deputy Secretary

³ The OIP specifically alleges violations of Securities Act Section 17(a), 15 U.S.C. § 77q(a); Exchange Act Section 10(b), 15 U.S.C. § 78j(b); Exchange Act Rule 10b-5, 17 C.F.R. § 240.10b-5; Advisers Act Sections 206(1), 206(2), 206(4), and 207, 15 U.S.C. §§ 80b-6, 80b-7; and Advisers Act Rule 206(4)-8, 17 C.F.R. § 275.206(4)-8. The OIP also alleges that J.S. Oliver violated, and Mausner willfully aided and abetted and caused J.S. Oliver's violations of, Advisers Act provisions concerning Form ADV, books and records, and written policies and procedures, including Advisers Act Sections 204, 206(4), and 207, 15 U.S.C. §§ 80b-4, 80b-6(4), and 80b-7, and Advisers Act Rules 204-1(a)(2), 204-2(a)(3), 204-2(a)(7), 206(4)-7, 17 C.F.R. §§ 275.204-1(a)(2), 275.204-2(a)(3), 275.204-2(a)(7), and 275.206(4)-7.

⁴ Chief Judge Murray notes, in this connection, that "additional Administrative Law Judges and attorney-advisers have been hired but have not yet reported for duty."

⁵ *See Adopting Release*, Exchange Act Release No. 48018, 2003 WL 21354791, at *2 (June 11, 2003) ("[T]he Commission has determined that timely completion of proceedings can be achieved more successfully through the adoption of mandatory deadlines and procedures designed to meet these deadlines.").

⁶ 17 C.F.R. § 201.360(a)(3).