

UNITED STATES OF AMERICA  
before the  
SECURITIES AND EXCHANGE COMMISSION

SECURITIES ACT OF 1933  
Release No. 10005 / January 19, 2016

SECURITIES EXCHANGE ACT OF 1934  
Release No. 76933 / January 19, 2016

INVESTMENT ADVISERS ACT OF 1940  
Release No. 4318 / January 19, 2016

INVESTMENT COMPANY ACT OF 1940  
Release No. 31962 / January 19, 2016

ADMINISTRATIVE PROCEEDING  
File No. 3-15967

In the Matter of  
LAWRENCE M. LABINE

ORDER GRANTING  
MOTION FOR EXTENSION

Chief Administrative Law Judge Brenda P. Murray has moved, pursuant to Commission Rule of Practice 360(a)(3), for an extension of 30 days to issue the initial decision in these proceedings.<sup>1</sup> The initial decision is currently due by February 2, 2016.

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.<sup>2</sup> That rule provides for extensions of those deadlines under certain circumstances if supported by a motion from the Chief Administrative Law Judge and if we determine that "additional time is necessary or appropriate in the public interest."<sup>3</sup> From our

<sup>1</sup> On July 8, 2014, we issued an Order Instituting Proceedings against Lawrence M. LaBine, DeWaay Advisory, LLC, and DeWaay Financial Network, Inc., which provided for issuance of the initial decision within 300 days after service of the OIP. *Lawrence M. LaBine*, Exchange Act Release No. 72562, 2014 WL 3101428 (July 8, 2014). On May 6, 2015, we granted a motion by Chief Administrative Law Judge Brenda P. Murray for a 300-day extension in which to issue the initial decision in this proceeding pursuant to Commission Rule of Practice 360(a)(3). *Lawrence M. LaBine*, Exchange Act Release No. 74883, 2015 WL 2088347 (May 6, 2015).

<sup>2</sup> *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.").

<sup>3</sup> 17 C.F.R. § 201.360(a)(3).

review of the present motion, it appears appropriate in the public interest to grant the Chief Administrative Law Judge's request and extend the time period for filing the initial decision.<sup>4</sup>

Accordingly, it is ORDERED that the deadline for filing the initial decision in these proceedings is extended to March 3, 2016.

By the Commission.

Brent J. Fields  
Secretary

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<sup>4</sup> See *Lawrence M. Labine*, Administrative Proceeding Rulings Release No. 3444 (Dec. 29, 2015) (motion to the Commission for an extension), available at <http://www.sec.gov/alj/aljorders/2015/ap-3444.pdf> (last visited Jan. 4, 2016).