

UNITED STATES OF AMERICA  
before the  
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934  
Release No. 96686 / January 18, 2023

Admin. Proc. File No. 3-21137

In the Matter of  
  
GROWN ROGUE INTERNATIONAL INC.  
(fka NOVICIUS CORPORATION)

SCHEDULING ORDER

The Securities and Exchange Commission (“Commission”) issued an Order Instituting Proceedings (“OIP”) on September 22, 2022, pursuant to Section 12(j) of the Securities Exchange Act of 1934, against Grown Rogue International Inc. (fka Novicius Corporation) (“Respondent”).<sup>1</sup> On October 31, 2022, Respondent filed its answer. The parties held a prehearing conference on November 14, 2022, and submitted a Joint Statement Regarding Prehearing Conference in which they reported that the Division of Enforcement anticipated filing a motion for summary disposition if the matter did not settle. They proposed that Respondent be granted 14 days to respond to any motion for summary disposition and the Division be granted 14 days to file a reply. On January 12, 2023, the Division of Enforcement filed a status report “to follow-up on the briefing schedule discussed in the Joint Statement Regarding Pre-Hearing Conference.” The report stated that the Division anticipates filing a motion for summary disposition by March 15, 2023.<sup>2</sup>

Based on the parties’ agreement, it is appropriate to set the following briefing schedule for the Division’s motion for summary disposition. Accordingly, it is ORDERED that the Division shall file any motion for summary disposition by March 15, 2023. Respondent may file a response within fourteen days after service of any motion for summary disposition filed by the

---

<sup>1</sup> *Grown Rogue Int’l Inc. (fka Novicius Corp.)*, Exchange Act Release No. 95880, 2022 WL 4445470 (Sept. 22, 2022).

<sup>2</sup> Motions for summary disposition may be made under Rule 250(b) after a respondent’s answer has been filed and documents have been made available to the respondent for inspection and copying pursuant to Rule of Practice 230. 17 C.F.R. §§ 201.250(b), 201.230. According to the joint prehearing conference statement, the Division made available these documents on November 15, 2022.

Division, and the Division may file a reply within fourteen days after service of any such response.<sup>3</sup>

Rule of Practice 250(b) provides that summary disposition is appropriate if “there is no genuine issue with regard to any material fact and . . . the movant is entitled to summary disposition as a matter of law.”<sup>4</sup> An opposition to a motion for summary disposition should precisely specify in the brief the basis for that opposition, identify with particularity the material factual issues in dispute, and address relevant Commission precedent.<sup>5</sup> Pursuant to Rule of Practice 180(c), a party’s failure to comply with this order may result in the Commission’s determination of the matter at issue against that party, entry of a default, dismissal of the proceeding, or the prohibition of the introduction of evidence or the exclusion of testimony regarding the matter at issue.<sup>6</sup>

---

<sup>3</sup> Attention is called to Rules of Practice 150-153, 17 C.F.R. §§ 201.150-153, with respect to form and service, and Rule of Practice 250(e) and (f), 17 C.F.R. § 201.250(e) and (f), with respect to length limitations. *See also Pending Admin. Proceedings*, Exchange Act Release No. 88415, 2020 WL 1322001, at \*1 (Mar. 18, 2020) (stating that “pending further order of the Commission, all reasonable requests for extensions of time will not be disfavored as stated in Rule 161” (citing 17 C.F.R. § 201.161(b)(1))).

<sup>4</sup> 17 C.F.R. § 201.250(b)

<sup>5</sup> *See, e.g., United Dev. Funding III, L.P.*, Exchange Act Release No. 85197, 2019 WL 936699, at \*1-2 & nn.6-11 (Feb. 26, 2019) (discussing appropriateness of summary disposition in Section 12(j) proceeding); *Absolute Potential, Inc.*, Exchange Act Release No. 71866, 2014 WL 1338256, at \*5-8 (Apr. 4, 2014) (discussing types of factual disputes that may be relevant in ruling on summary disposition in Section 12(j) proceeding).

<sup>6</sup> 17 C.F.R. § 201.180(c).

The parties' attention is directed to the e-filing requirements in the Rules of Practice.<sup>7</sup>

For the Commission, by the Office of the General Counsel, pursuant to delegated authority.

Vanessa A. Countryman  
Secretary

---

<sup>7</sup> *Amendments to the Commission's Rules of Practice*, Exchange Act Release No. 90442, 2020 WL 7013370 (Nov. 17, 2020), 85 Fed. Reg. 86,464, 86,474 (Dec. 30, 2020) <https://www.sec.gov/rules/final/2020/34-90442a.pdf>; *Instructions for Electronic Filing and Service of Documents in SEC Administrative Proceedings and Technical Specifications*, <https://www.sec.gov/efapdocs/instructions.pdf>. The amendments impose other obligations such as a redaction and omission of sensitive personal information requirement. *Amendments to the Commission's Rules of Practice*, 85 Fed. Reg. at 86,465–81.