

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 97264/ April 7, 2023

Admin. Proc. File No. 3-21015

In the Matter of

MARK W. HECKELE, ESQ.

ORDER REGARDING PREHEARING CONFERENCE

The Securities and Exchange Commission issued an order instituting administrative proceedings (“OIP”) on August 29, 2022, pursuant to Section 15(b) of the Securities Exchange Act of 1934 against Mark W. Heckeles, Esq. (“Respondent”).¹ The OIP directed the parties to conduct a prehearing conference within 14 days of service of Respondent’s answer to the OIP and, following the conference, to file a statement with the Office of the Secretary advising the Commission of any agreements reached at said conference.² If a prehearing conference was not held, the parties were ordered to file a statement advising the Commission of that fact and of the efforts made to meet and confer.³ Respondent filed an answer with the Commission on January 10, 2023.⁴ The parties have not filed any statement regarding a prehearing conference.

Accordingly, IT IS ORDERED that by April 21, 2023, the parties shall file a statement with the Office of the Secretary advising the Commission of any agreements reached at the prehearing conference specified by the OIP. If a prehearing conference was not held, both parties shall file by that date a statement, jointly or separately, advising the Commission of that fact and of the efforts made to meet and confer. 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

¹ *Mark W. Heckeles, Esq.*, Exchange Act Release No. 95626, 2022 WL 3757555 (Aug. 29, 2022); *see* 15 U.S.C. § 78o(b).

² *Heckeles*, 2022 WL 3757555 at *2.

³ *Id.*

⁴ Respondent’s answer incorporated a motion for a more definite statement, which was denied. *See Mark W. Heckeles, Esq.*, Exchange Act Release No. 97233, 2023 WL 2732944 (Mar. 31, 2023).

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.⁵

The parties' attention is directed to the e-filing requirements in the Rules of Practice.⁶

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

Vanessa A. Countryman
Secretary

⁵ 17 C.F.R. § 201.180(c).

⁶ *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.