

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 101829 / December 6, 2024

Admin. Proc. File No. 3-21654

In the Matter of
AMERI METRO, INC.

SCHEDULING ORDER

The Securities and Exchange Commission issued an Order Instituting Proceedings (“OIP”) on September 12, 2023, pursuant to Section 12(j) of the Securities Exchange Act of 1934, against Ameri Metro, Inc. (“Respondent”).¹ On February 1, 2024, Respondent filed an answer to the OIP.² On May 2, 2024, the parties submitted a joint statement following a prehearing conference held on April 17, 2024. The parties agreed on a schedule for a response and reply brief should the Division of Enforcement file a motion for summary disposition pursuant to Commission Rule of Practice 250(b).³

On November 21, 2024, the Division filed a motion for summary disposition. Based on the parties’ agreement, it is appropriate to set the following briefing schedule. Accordingly, IT

¹ *Ameri Metro, Inc.*, Exchange Act Release No. 98364, 2023 WL 5937344 (Sept. 12, 2023).

² *See Ameri Metro, Inc.*, Exchange Act Release No. 99884, 2024 WL 1416444 (Apr. 2, 2024) (order discharging show cause order, construing Respondent’s response to the show cause order as its answer to the OIP, and directing prehearing conference).

³ 17 C.F.R. § 201.250(b) (providing 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”). 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. *Id.*; 17 C.F.R. § 201.230. According to the joint prehearing conference statement, the Division agreed to produce these documents. The parties should promptly inform the Commission if that has not yet occurred.

IS ORDERED that Respondent shall file its response to the Division's motion by December 23, 2024; and the Division shall file any reply in support of its motion by January 22, 2025.⁴

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.⁵ 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.⁶ The parties' attention is directed to the e-filing requirements in the Rules of Practice.⁷ We also remind the

⁴ 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 In re: 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))).

⁵ *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).

⁶ 17 C.F.R. § 201.180(c).

⁷ *See* Rules of Practice 151, 152(a), 17 C.F.R. §§ 201.151, .152(a) (providing procedure for filing papers with the Commission and mandating electronic filing in the form and manner posted on the Commission's website); *Instructions for Electronic Filing and Service of Documents in SEC Administrative Proceedings and Technical Specifications*, <https://www.sec.gov/efapdocs/instructions.pdf>. Parties generally also must certify that they have redacted or omitted sensitive personal information from any filing. Rule of Practice 151(e), 17 C.F.R. § 201.151(e).

parties that any document filed with the Commission must be served upon all participants in the proceeding and be accompanied by a certificate of service.⁸

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

Vanessa A. Countryman
Secretary

⁸ See Rule of Practice 150, 17 C.F.R. § 201.150 (generally requiring parties to serve each other with their filings); Rule of Practice 151(d), 17 C.F.R. § 201.151(d) (“Papers filed with the Commission . . . shall be accompanied by a certificate stating the name of the person or persons served, the date of service, the method of service, and the mailing address or email address to which service was made, if not made in person.”).