

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 103327 / June 25, 2025

Admin. Proc. File No. 3-21944

In the Matter of GEORGE RAUCH (F/K/A GEORGE B. FASCIANO)

ORDER SCHEDULING BRIEFS

On May 20, 2024, the Securities and Exchange Commission issued an order instituting administrative proceedings (“OIP”) against George Rauch (f/k/a George B. Fasciano) (“Respondent”) under Section 15(b) of the Securities Exchange Act of 1934.¹ After Respondent filed an answer to the OIP, the Commission directed the parties to conduct a prehearing conference and to file a statement advising the Commission of any agreements reached at the prehearing conference.²

On June 4, 2025, the Division of Enforcement filed a status report, on behalf of itself and Respondent, stating that the parties had agreed that the Division would file a motion for summary disposition within 60 days after the issuance of this order; Respondent would file an opposition brief within 30 days after the Division filed its motion for summary disposition; and the Division would file a reply within 10 days after Respondent filed its opposition.³ Given the parties’ agreement, we believe it is appropriate to set the following briefing schedule.

¹ *George Rauch (f/k/a George B. Fasciano)*, Exchange Act Release No. 100184, 2024 WL 2289229 (May 20, 2024).

² *George Rauch (f/k/a George B. Fasciano)*, Exchange Act Release No. 102998 (May 7, 2025).

³ *See 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 of Practice 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. Respondent filed an answer, and the Division’s status report reflects that the Division has made documents available pursuant to Rule 230.

Accordingly, it is ORDERED that the Division's motion for summary disposition shall be filed by August 25, 2025; Respondent's opposition shall be filed by September 24, 2025; and the Division's reply shall be filed by October 6, 2025.⁴

A brief in support of a motion for summary disposition should include references to relevant undisputed pleaded facts along with facts eligible to be officially noted pursuant to Rule of Practice 323,⁵ and should include, as attachments, relevant declarations, affidavits, and other supporting documentation. A brief in opposition to a motion for summary disposition should precisely specify the basis for that opposition, identify with particularity the material factual issues in dispute, and address relevant Commission precedent.⁶ Pursuant to Rule of Practice 180(c), a party's failure to file a required brief or comply with this order may result in the Commission's determination of the matter at issue against that party, entry of default, dismissal of the proceeding, or the prohibition of the introduction of evidence or the exclusion of testimony regarding the matter at issue.⁷

The parties' attention is directed to the e-filing requirements in the Rules of Practice.⁸ We also remind the 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.⁹ The parties are

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.

⁵ 17 C.F.R. § 201.323.

⁶ See, e.g., *Peter Siris*, Exchange Act Release No. 71068, 2013 WL 6528874, at *11 & n.68 (Dec. 12, 2013) (discussing appropriateness of summary disposition in follow-on proceedings and providing citations), *pet. denied*, 773 F.3d 89 (D.C. Cir. 2014); *Conrad P. Seghers*, Advisers Act Release No. 2656, 2007 WL 2790633, at *4-6 (Sept. 26, 2007) (discussing unsuccessful attempt to oppose summary disposition), *pet. denied*, 548 F.3d 129 (D.C. Cir. 2008).

⁷ 17 C.F.R. § 201.180(c).

⁸ 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).

⁹ 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.").

also reminded that they must provide the Commission with their mailing address, email address, and telephone number, and they must update this contact information if it changes.¹⁰

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

Vanessa A. Countryman
Secretary

¹⁰ See Rule of Practice 102(d)(1)-(2), 17 C.F.R. § 201.102(d)(1)-(2).