UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 66882 / April 30, 2012

ADMINISTRATIVE PROCEEDING
File No. 3-14860

______________________________:
In the Matter of
MICHAEL J. MCNERNEY, Respondent.

ORDER OF SUSPENSION PURSUANT TO RULE 102(e)(2) OF THE COMMISSION’S RULES OF PRACTICE

I.

The Securities and Exchange Commission deems it appropriate to issue an order of forthwith suspension of Michael J. McNerney pursuant to Rule 102(e)(2) of the Commission’s Rules of Practice [17 C.F.R. 200.102(e)(2)].

II.

The Commission finds that:

1. McNerney was an attorney admitted to practice in Florida.


1 Rule 102(e)(2) provides in pertinent part: “Any...person who has been convicted of a felony or a misdemeanor involving moral turpitude shall be forthwith suspended from appearing or practicing before the Commission.”
3. As a result of this conviction, McNerney was sentenced to 60 months imprisonment in a federal penitentiary and ordered to pay restitution in the amount of $826,839,642.

III.

In view of the foregoing, the Commission finds that McNerney has been convicted of a felony within the meaning of Rule 102(e)(2) of the Commission’s Rules of Practice.

Accordingly, it is ORDERED, that Michael J. McNerney is forthwith suspended from appearing or practicing before the Commission pursuant to Rule 102(e)(2) of the Commission’s Rules of Practice.

By the Commission.

Elizabeth M. Murphy
Secretary