

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

INVESTMENT ADVISERS ACT OF 1940
Release No. 4527 / September 12, 2016

ADMINISTRATIVE PROCEEDING
File No. 3-16946

In the Matter of

GEORGE CHARLES CODY PRICE

ORDER DENYING SECOND
MOTION FOR EXTENSION
OF BRIEFING SCHEDULE

On June 30, 2016, the Commission received a petition for review of an initial decision of an administrative law judge by George Charles Cody Price (“Respondent”). On July 21, 2016, the Commission issued an Order Granting Petition for Review and Scheduling Briefs, pursuant to Rule of Practice 450(a), ordering that a brief in support of the petition for review be filed by August 22, 2016, a brief in opposition be filed by September 21, 2016, and any reply brief be filed by October 5, 2016.

On August 23, 2016, Respondent filed a motion for a 30-day extension of the Commission’s briefing schedule, which the Division of Enforcement (the “Division”) opposed. On September 2, 2016, the Commission issued an Extension Order ordering that the brief in support be filed by September 7, 2016; brief in opposition be filed by October 7, 2016; and any reply brief be filed by October 21, 2016.¹

On September 8, 2016, Respondent filed a second motion for a 21-day extension of the revised briefing schedule. The Division opposes the extension.

Respondent’s second motion repeats the arguments from the first motion.² As noted in the Extension Order, Commission Rule of Practice 161(b)(1) states that the Commission “should

¹ Investment Advisers Act Rel. No. 4520 (Sept. 2, 2016).

² Respondent states in both the August 23, 2016 and the September 8, 2016 motions for an extension that the “sole basis for the extension of time is that the evidence Respondent requires to articulate the basis for its Appeal will not be available for at least another twenty five (25) days nor

adhere to a policy of strongly disfavoring such requests” for extensions of time.³ A second extension is not warranted.

Accordingly, the Respondent’s request is DENIED.

For the Commission, by its Secretary, pursuant to delegated authority.⁴

Brent J. Fields
Secretary

will it be possible to organize such materials into a cognizable brief in anything less than thirty (30) days.” We note that any submission of additional evidence is subject to, among other things, Rule of Practice 452, which requires that any motion for the submission of additional evidence must “show with particularity that such additional evidence is material and that there were reasonable grounds for failure to adduce such evidence previously.” 17 C.F.R. § 201.452.

³ 17 C.F.R. § 201.161(b)(1).

⁴ 17 C.F.R. § 200.30-7(a)(4).