

SECURITIES AND EXCHANGE COMMISSION
Washington, D.C.

SECURITIES EXCHANGE ACT OF 1934
Rel. No. 56912 / December 5, 2007

Admin. Proc. File No. 3-12658

In the Matter of

Laminaire Corp. (n/k/a Cavico Corp.),
TAM Restaurants, Inc. (n/k/a Aerofoam Metals, Inc.),
and
Upside Development, Inc. (n/k/a Amorocorp)

ORDER GRANTING
EXTENSION

The Chief Administrative Law Judge, who is presiding over this proceeding, has moved, pursuant to Commission Rule of Practice 360(a)(3), 1/ for an extension of time to issue her initial decision. For the reasons set forth below, we have determined to grant the law judge's motion.

On June 13, 2007, we instituted administrative proceedings against three Delaware corporations, including "TAM Restaurants, Inc. (n/k/a Aerofoam Metals, Inc.)" ("AMI"), pursuant to Section 12(j) of the Securities Exchange Act of 1934 2/ to determine whether to revoke or suspend the registration of these corporations. The order instituting proceedings ("OIP") alleged that the three issuers were delinquent in their required Exchange Act periodic filings with the Commission. 3/ The OIP directed the presiding law judge to hold a public hearing to take evidence regarding the allegations and the appropriate sanctions. The OIP further

1/ 17 C.F.R. § 201.360(a)(3).

2/ 15 U.S.C. § 78l(g).

3/ Laminaire Corp. (n/k/a Cavico Corp.) and Upside Development, Inc. (n/k/a Amorocorp) each consented to the entry of our orders revoking the registration of each class of their securities registered pursuant to Exchange Act Section 12. See Order Making Findings and Revoking Registration of Securities Pursuant to Section 12(j) of the Securities Exchange Act of 1934 as to Laminaire Corp. (n/k/a Cavico Corp.), Securities Exchange Act Rel. No. 55968 (June 27, 2007), 90 SEC Docket 2881; Order Making Findings and Revoking Registration of Securities Pursuant to Section 12(j) of the Securities Exchange Act of 1934 as to Upside Development, Inc. (n/k/a Amorocorp), Exchange Act Rel. No. 56019 (July 6, 2007), 91 SEC Docket 31.

specified that, pursuant to Commission Rule of Practice 360(a)(2), 4/ the presiding law judge should issue an initial decision in this proceeding no later than 120 days from the date of service of the OIP.

On August 3, 2007, the Division of Enforcement (“Division”) moved pursuant to Rule of Practice 200(d) 5/ to amend the OIP to strike AMI as a party and leave “TAM Restaurants, Inc.” (“TAMRI”) as the remaining party on the basis that AMI is not the successor to TAMRI. It was unclear to us after reviewing the pleadings and exhibits furnished by the parties what AMI’s relationship is to TAMRI. Accordingly, on October 22, 2007, we denied the Division’s motion to amend the OIP and directed that the record with respect to AMI’s relationship to TAMRI be further developed. 6/ On October 25, 2007, the law judge set a hearing date of November 19, 2007 to address our directive to further develop the facts surrounding AMI’s relationship to TAMRI. 7/

Also on October 25, 2007, the law judge filed a motion pursuant to Commission Rule of Practice 360(a)(3) 8/ requesting an extension of time of 120 days from our October 22, 2007 order to issue her initial decision.

II.

We adopted Rules of Practice 360(a)(2) and 360(a)(3) as part of an effort to enhance the timely and efficient adjudication and disposition of Commission administrative proceedings. 9/ At that time, we determined that the adoption of mandatory deadlines for completion of

4/ 17 C.F.R. § 201.360(a)(2).

5/ 17 C.F.R. § 201.200(d).

6/ See Order Denying Motion to Amend Order Instituting Proceedings, Exchange Act Rel. No. 56685 (Oct. 22, 2007), __ SEC Docket __.

7/ We subsequently denied the Division's motion for reconsideration on November 15, 2007. See Order Denying Motion for Reconsideration, Exchange Act Rel. No. 56789 (Nov. 15, 2007), __ SEC Docket __.

8/ 17 C.F.R. § 201.360(a)(3).

9/ See Adopting Release, Securities Act Rel. No. 8240 (June 11, 2003), 80 SEC Docket 1463.

administrative hearings would enhance timely completion of the adjudication process. In adopting those guidelines, however, we recognized that a “one size fits all’ approach to timely disposition is not feasible.” ^{10/} We therefore established three different deadlines – 120, 210, or 300 days – depending on “the nature, complexity, and urgency of the subject matter, and with due regard for the public interest and the protection of investors.” ^{11/}

We further provided for the granting of extensions to those deadlines under certain circumstances. If, during the proceeding, the presiding law judge decides that the proceeding cannot be concluded in the time specified in the OIP, Rule 360(a)(3) provides that the law judge may request an extension of the stated deadline. To obtain an extension, the law judge should consult with the Chief Administrative Law Judge. ^{12/} “Following such consultation, the Chief Administrative Law Judge may determine, in his or her discretion, to submit a motion to the Commission requesting an extension.” ^{13/} The motion should “explain [] why circumstances require an extension and specify [] the length of the extension.” ^{14/} While we intend to grant extensions sparingly, we may authorize an extension on the basis of the Chief Administrative Law Judge’s motion, if we determine that “additional time is necessary or appropriate in the public interest.” ^{15/} We note, however, that a heavy docket alone will not ordinarily be cause for an extension.

The Chief Administrative Law Judge supports her extension request by stating that the initial decision cannot be issued within the specified time because our October 22, 2007 order denying the Division's motion to amend the OIP requires findings about the relationship between AMI and TAMRI. The amount of time necessary for resolution of this issue is difficult to estimate and is in addition to the time required to resolve the determination of whether to revoke or suspend the registration of the respondent’s securities. In light of the unanticipated complexity of the proceeding and the reasonableness of the requested extension, we have

^{10/} Id.

^{11/} 17 C.F.R. § 201.360(a)(2).

^{12/} The law judge presiding in this proceeding also serves as the Chief Administrative Law Judge.

^{13/} 17 C.F.R. § 201.360(a)(3).

^{14/} See Adopting Release at 1463.

^{15/} 17 C.F.R. § 201.360(a)(3).

determined to grant the motion. Under the circumstances, we believe that it is appropriate to extend the deadline for issuance of the initial decision until 120 days from the date on which we issue the order herein.

Accordingly, IT IS ORDERED that the deadline for issuance of the initial decision in this matter be, and it hereby is, extended until April 3, 2008.

By the Commission.

Nancy M. Morris
Secretary