

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION
June 19, 2018

SECURITIES ACT OF 1933
Release No. 10508 / June 19, 2018

SECURITIES EXCHANGE ACT OF 1934
Release No. 83468 / June 19, 2018

Admin. Proc. File No. 3-17104

In the Matter of

BIOELECTRONICS CORP.,
IBEX, LLC,
ST. JOHN'S, LLC,
ANDREW J. WHELAN, and
KELLY A. WHELAN, CPA

ORDER GRANTING RESPONDENTS' REQUEST TO FILE REPLY BRIEF TO RESPONSE
BRIEF

On April 27, 2018, the parties in this matter were given the opportunity to file simultaneous supplemental briefs, not to exceed 6,000 words, addressing any matters they deemed pertinent in light of the ALJ's ratification order by May 28, 2018. They were also given the opportunity to file simultaneous response briefs, not to exceed 3,000 words, by June 11, 2018. Respondents filed a supplemental brief on May 25, 2018. The Division of Enforcement filed a response brief on June 11, 2018. Respondents now request that they be permitted to file a reply brief by June 25, 2018. In support of that request, Respondents claim that the Division has gained an "unfair advantage" by "mischaracteriz[ing]" its brief as a response brief, "leaving Respondents with no response opportunity."

We see nothing improper in the Division's decision to file only a response brief. Neither party was required to file a supplemental brief, as a condition for filing a response brief or otherwise. The Division properly both limited its brief to addressing arguments raised by Respondents in their supplemental brief and complied with the 3,000 word limit for response briefs. Nevertheless, given the unique circumstances of this case, we find it appropriate to grant Respondents' request to file a reply brief to the Division's response brief.

Accordingly, it is ORDERED that Respondents may file a reply brief, not to exceed 3,000 words, by June 25, 2018.

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

Brent J. Fields
Secretary