

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:12-CV-803-GCM

SECURITIES AND EXCHANGE)
COMMISSION,)
)
Plaintiff,)
)
v.)
)
JOHN W. FEMENIA, *et al*,)
)
Defendant.)
)

ORDER

THIS MATTER IS BEFORE THE COURT ON ITS OWN MOTION. A conference on the civil penalty phase for Defendants Frank M. Burgess and James A. Hayes was held on September 25, 2013. Based upon discussions at this conference,

IT IS THEREFORE ORDERED that the SEC's motions for civil penalty as to these Defendants shall be filed no later than October 15, 2013. Defendants shall have three weeks thereafter to respond and the SEC shall then have three weeks after the filing of a response to file its reply. A hearing shall be scheduled by the Court thereafter.

Signed: September 25, 2013



Graham C. Mullen
United States District Judge

