

This Order has been published by FINRA's Office of Hearing Officers and should be cited as OHO Order 07-40 (20070086505-01).

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
OFFICE OF HEARING OFFICERS**

DEPARTMENT OF ENFORCEMENT,

Complainant,

v.

Respondent.

Disciplinary Proceeding
No. 20070086505-01

Hearing Officer – LBB

ORDER TO SHOW CAUSE

According to the record of this proceeding, the Respondent has been served with the Complaint and the Second Notice of Complaint, and has failed to file an Answer with the Office of Hearing Officers (OHO) in accordance with Rule 9215. On November 12, 2007, OHO received Respondent's November 6 letter to the Department of Enforcement, wherein he requested a hearing in this matter but did not address the charges in the Complaint.

On November 13, the Hearing Officer issued an Order requiring Respondent to file an Answer that complies with Procedural Rule 9215 by November 27 and setting a Pre-Hearing Conference for November 30. OHO sent the Order to Respondent at his CRD address, and to an additional address listed on the Notice of Complaint. Respondent did not file an Answer, nor did he appear at the Pre-Hearing Conference.

The Hearing Officer issued another Order on November 30, requiring Respondent to file an Answer that complies with Procedural Rule 9215 by December 5 and setting another Pre-Hearing Conference for December 6. OHO again sent the Order to Respondent at his CRD address, a variation of his CRD address that included an apartment number, and the additional

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address from the Notice of Complaint. Again, Respondent did not file an Answer, nor did he appear at the Pre-Hearing Conference.

Accordingly, pursuant to Rules 9215(f), 9241, and 9269, entry of a default decision against Respondent may be appropriate for failing to file an Answer and for failing to appear at two Pre-Hearing Conferences of which he had due notice. In the default decision, the Hearing Officer may deem admitted the allegations in the Complaint and impose sanctions.

Respondent is hereby ordered to show cause, if any, why he should not be held in default. Respondent shall file and serve his response to this Order by the close of business on **December 20, 2007**. Filing and service by facsimile will be sufficient to meet this deadline, provided that the response is also filed and served by first-class mail.

The Hearing Officer's Case Administrator is Deirdre Feehan, and the Respondent may contact her for assistance at (202) 728-8186.

SO ORDERED.

Lawrence B. Bernard
Hearing Officer

Dated: December 6, 2007
Washington, DC