

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION
June 12, 2007


In the Matter of :
:
MICHAEL SASSANO, : ORDER
DOGAN BARUH, :
ROBERT OKIN, and :
R. SCOTT ABRY :

Respondents Michael Sassano (Sassano), Robert Okin (Okin), and R. Scott Abry (Abry) have served subpoenas on the Office of Compliance Inspections and Examinations (OCIE) of the Securities and Exchange Commission (Commission). The subpoenas each sought the same documents, although the return dates differed. On June 8, 2007, I received a letter from Christopher M. Bruckmann of the Commission's Office of the General Counsel. Mr. Bruckmann represented that the three Respondents had consented to an enlargement of the time for OCIE to respond to the subpoenas. He also stated that OCIE's response would likely take the form of a motion to quash.

By letter dated June 11, 2007, counsel for Sassano states that Mr. Bruckmann did not advise him that OCIE's response would likely take the form of a motion to quash. Sassano requests that I require OCIE to file any motion to quash, if at all, no later than June 13, 2007, so that Sassano can oppose the motion to quash as soon as possible.

IT IS ORDERED THAT OCIE's response to the subpoenas of Sassano and Abry must be filed and served no later than the close of business on June 13, 2007;¹ and

IT IS FURTHER ORDERED THAT OCIE's response to Sassano's and Abry's subpoenas must include a sworn statement by a responsible management official within OCIE, stating that OCIE has conducted a comprehensive search of its files and has gathered all the documents responsive to the subpoenas. It must also identify the responsive documents with particularity: *i.e.*, date, subject matter, number of pages, and any claimed privileges. An affidavit from the Office of the General Counsel will not suffice for these purposes. If OCIE chooses to file a motion to quash, such a motion will not relieve OCIE of its obligation to identify all the documents responsive to the subpoenas by June 13, 2007.



James T. Kelly
Administrative Law Judge

¹ Okin's subpoena is moot in light of the Stay Order entered today as to him.