

ADMINISTRATIVE PROCEEDING
FILE NO. 3-12559

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION
March 13, 2007

In the Matter of	:	
	:	
TRAUTMAN WASSERMAN & COMPANY, INC.,	:	ORDER STAYING PROCEEDING FOR SIX MONTHS
GREGORY O. TRAUTMAN,	:	
SAMUEL M. WASSERMAN,	:	
MARK BARBERA,	:	
JAMES A. WILSON, JR.,	:	
JEROME SNYDER, and	:	
FORDE H. PRIGOT	:	

This proceeding began on February 5, 2007. On February 13, 2007, the Attorney General for the State of New York (NYAG) filed an Application to Intervene and Motion to Stay (Motion), pursuant to Rule 210(c)(3) of the Commission's Rules of Practice, 17 C.F.R. § 201.210(c)(3). The Motion was the subject of a telephonic prehearing conference on March 5, 2007. The March 8, 2007, Order Following Prehearing Conference details the positions of the parties, with the correction that Respondents Mark Barbera (Barbera), Samuel M. Wasserman (Wasserman), and James A. Wilson, Jr. (Wilson) oppose the stay and Respondents Trautman Wasserman & Company, Inc., Gregory O. Trautman, Jerome Snyder and Forde H. Prigot take no position. (March 9, 2007, letter from Jacob S. Frankel, counsel for Barbera).

In letters dated March 9 and 12, 2007, the NYAG, counsel for Barbera, and the Division of Enforcement (Division), state that the parties failed to reach a compromise. The Division believes Barbera and Wasserman received transcripts of their investigative testimony; however, the Division will provide copies of these testimonial transcripts, if counsel do not have them. The NYAG reiterates its request that this proceeding be stayed.

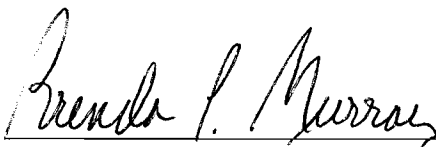
Ruling

I find that the NYAG has shown that a six-month stay of this administrative proceeding is in the public interest based on its representation that the criminal case against Wilson "depends upon testimony and exhibits not yet disclosed in this Administrative Proceeding, but which would of necessity become part of a Commission's hearing if it were to proceed ahead of the criminal case. This kind of indirect disclosure . . . will seriously jeopardize the prosecution." (Motion at 6.) 17 C.F.R. § 201.210(c)(3). I will limit the stay to a six-month

period because after that length of time, I question whether the substantial rights of the Respondents will be prejudiced by a failure to proceed with this administrative proceeding in which they stand accused of serious wrongdoing. See SEC v. Dresser Indus., Inc., 628 F.2d 1368, 1377 (D.C. Cir. 1980).

Order

I Grant the Motion and STAY the proceeding until Wednesday, September 12, 2007. I ORDER a telephonic prehearing conference Wednesday, September 12, 2007, at 10:00 a.m. EDT, to reassess the status of the proceeding.



Brenda P. Murray
Chief Administrative Law Judge