

ADMINISTRATIVE PROCEEDING
FILE NO. 3-11346

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION
May 3, 2004

SECURITIES & EXCHANGE COMMISSION
MAILED FOR SERVICE

MAY 03 2004

FIRST CLASS

In the Matter of	:	
	:	
STEVEN E. MUTH,	:	NOTICE OF WITHDRAWAL
RICHARD J. ROUSE,	:	OF COUNSEL
and BRUCE J. BATES	:	

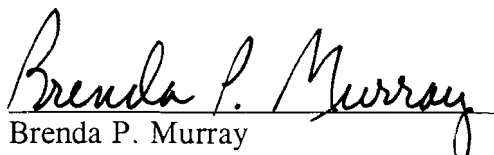
This proceeding was instituted on November 26, 2003. I have held three prehearing conferences, and the hearing will begin on Tuesday, June 1, 2004, at 9:30 a.m. in Denver, Colorado. An Initial Decision must be issued no later than October 12, 2004.

Harold M. Golz and Krys Boyle, P.C. ("Krys Boyle") represent Respondent Rouse in this proceeding. On April 29, 2004, Krys Boyle filed a Motion To Withdraw As Counsel for Respondent Richard J. Rouse ("Motion"). Krys Boyle represented Schneider Securities, Inc., and certain of its employees, including Respondents Rouse and Bates, in the investigation that resulted in this proceeding. Respondent Bates now appears pro se. Krys Boyle did not see a problem when it appeared that Respondents Rouse and Bates would settle the charges. Now that a hearing appears certain, however, Krys Boyle is concerned that conflicts could occur between Respondents Rouse and Bates and that a consent from Respondent Bates would be insufficient for its representation of Respondent Rouse to meet applicable professional standards.

Ruling

The Securities and Exchange Commission's ("Commission") Rules of Practice were modified effective April 19, 2004. Rule 102(d)(4) previously required withdrawal on order of the Commission or the hearing officer. The new rule only requires notice, served at least five days before the proposed effective date of withdrawal, to the Commission or the hearing officer. 17 C.F.R. §201.102(d)(4).

I construe the Motion as a notice of withdrawal. I ORDER that Krys Boyle's withdrawal as counsel for Respondent Rouse will be effective on May 7, 2004, five days, not including Saturday and Sunday, after service of the Motion. 17 C.F.R. §201.160.


Brenda P. Murray
Chief Administrative Law Judge