

ADMINISTRATIVE PROCEEDING  
FILE NO. 3-11626

UNITED STATES OF AMERICA  
Before the  
SECURITIES AND EXCHANGE COMMISSION  
September 27, 2005

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In the Matter of :  
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 MARK N. DOHLEN, :  
 PAUL A. GILES, and : ORDER  
 ALFRED PEEPER :  
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The Securities and Exchange Commission (Commission) issued its Order Instituting Proceedings (OIP) on September 1, 2004, under the caption John A. Carley, et al. Eleven individuals and entities were named as Respondents. The Chief Administrative Law Judge then assigned the proceeding to my docket (Order of September 2, 2004).

The Commission served the OIP on eight of the eleven Respondents, and I have resolved the charges as to those eight Respondents.<sup>1</sup>

The Commission granted the motion of the Division of Enforcement (Division) to sever the charges against Respondents Mark N. Dohlen (Dohlen), Paul A. Giles (Giles), and Alfred Peeper (Peeper), who had not been served with the OIP. John A. Carley, 84 SEC Docket 2317 (Jan. 3, 2005). In its January 3 Order, the Commission also denied the Division's request for a stay of the proceedings as to Dohlen, Giles, and Peeper.

By Order dated August 18, 2005, I directed the Division to show cause why this proceeding should not be dismissed without prejudice as to Dohlen, Giles, and Peeper in accordance with Richard Cannistraro, 53 S.E.C. 388 (1998). The Division responded to that Order on September 1, 2005. It elaborated on its written response at a telephonic prehearing conference on September 7, 2005.

As previously stated, the Division has been unable to locate Dohlen or Giles. The Division has located Peeper, but it has yet to effect service on him. It has now been more than


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<sup>1</sup> One Respondent, Le Fond Mondial D'Investissement S.A., failed to file an Answer to the OIP and I issued a default order as to it. John A. Carley, 84 SEC Docket 648 (Nov. 23, 2004). I issued an Initial Decision as to the other seven Respondents on July 18, 2005. Five of those seven Respondents subsequently filed petitions for review. The Commission granted review of those five petitions on August 16, 2005. The Commission issued a notice of finality on August 18, 2005, as to the two Respondents who did not file petitions for review.

one year since the Commission issued the OIP. Nonetheless, in light of the representations the Division made in its September 1 pleading and at the September 7 prehearing conference, I am persuaded to grant the Division a limited amount of additional time to serve the OIP.

IT IS ORDERED THAT:

1. The August 18, 2005, Order to Show Cause shall remain in effect;
2. The Division shall supplement its response to the August 18 Order to Show Cause on or before October 28, 2005; and
3. A telephonic prehearing conference will be held on November 4, 2005, at 1:00 p.m. Eastern time. The agenda will be limited to the three severed Respondents, the only portion of this proceeding that is still assigned to my docket. The Division shall initiate the call and obtain a court reporter.

  
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James T. Kelly  
Administrative Law Judge