

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION
February 19, 2008

In the Matter of	:	
	:	
MICHAEL SASSANO,	:	ORDER CONCERNING SUBPOENAS
DOGAN BARUH,	:	WITH RETURN DATE OF FEBRUARY
ROBERT OKIN, and	:	15, 2008
R. SCOTT ABRY	:	

On January 30, 2008, I approved several subpoenas duces tecum at the request of Respondent Michael Sassano (Sassano). The subpoenas were addressed to non-parties and had a return date of February 15, 2008.

Various non-party recipients of the subpoenas have filed motions to quash or modify.¹ Other non-party recipients have notified this Office that Sassano has already extended the return date and will negotiate the scope of the documents sought.² The Division of Enforcement (Division) has requested that I require Sassano to make available to the Division all documents produced pursuant to these subpoenas and allow the Division to amend its exhibit list to add any such documents (Letter from David Stoelting, dated Feb. 12, 2008, at 10).

In these circumstances, Sassano need not respond to the motions to quash or modify until he has exhausted his ability to negotiate an amicable resolution with the recipients. Moreover, I will honor the agreements that Sassano has entered with other recipients, enlarging the time for them to comply with the subpoenas and/or to file motions to quash or modify.


If Sassano and the non-party subpoena recipients are unable to reach an amicable resolution of their differences, they should notify this Office promptly. Pleadings shall be filed with the Office of the Secretary and must include any correspondence (e-mails or letters) between Sassano and the recipients, narrowing the scope of their disputes. Within five days

¹ These include Capstone Asset Management Co., Federated Investment Management Co., and Deutsche Bank Investment Management Americas, Inc., and DWS Scudder Distributors, Inc.

² These include AIM Advisors, Inc., AIM Distributors, Investco Funds Group, Inc., HL Investment Advisers LLC, Massachusetts Investors Trust, and MFS Fund Distributors, Inc.

from the date of this Order, Sassano shall respond to the Division's requests for access to the documents produced and for permission to amend its exhibit list.

SO ORDERED.



James T. Kelly
Administrative Law Judge