

UNITED STATES OF AMERICA  
Before the  
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934  
Release No. 59443 / February 24, 2009

Administrative Proceeding  
File No. 3-13380

IN THE MATTER OF ALAN BRIAN BAIOCCHI

The United States Securities and Exchange Commission announced the issuance of an Order Instituting Administrative Proceedings Pursuant to Section 15(b) of the Securities Exchange Act of 1934 and Notice of Hearing (Order) against Alan Brian Baiocchi.

In the Order Instituting Proceedings, the Division of Enforcement alleges that a criminal conviction was entered on November 25, 2003 and affirmed by the Court of Appeals for the Ninth Circuit on July 13, 2007 in United States v. Baiocchi, Case No. 8:02-cr-00089 (Central District of California). The criminal conviction was based, among other things, on the fact that Baiocchi defrauded investors and obtained money and property by means of materially false and misleading statements in connection with the fraudulent offer and sale of securities in the form of fractional undivided interests in oil and gas drilling programs. A hearing will be convened to determine whether the allegations in the Order Instituting Proceedings are true, to provide Baiocchi an opportunity to dispute the allegations, and to determine whether any remedial sanction is appropriate and in the public interest.

The Order directs the Administrative Law Judge to issue an initial decision in this matter no later than 210 days from the date of service of the Order.