

ADMINISTRATIVE PROCEEDING
FILE NO. 3-12559

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION
November 14, 2007

SECURITIES & EXCHANGE COMMISSION
MAILED FOR SERVICE

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FIRST CLASS

In the Matter of :
:
TRAUTMAN WASSERMAN & :
COMPANY, INC., : POST HEARING ORDERS
GREGORY O. TRAUTMAN, :
SAMUEL M. WASSERMAN, :
MARK BARBERA, :
JAMES A. WILSON, JR., :
JEROME SNYDER, and :
FORDE H. PRIGOT :

The Securities and Exchange Commission (Commission) instituted this proceeding on February 5, 2007. The Commission has accepted an Offer of Settlement from Respondent Jerome Snyder, and the Division of Enforcement (Division) has reached agreements in principle concerning settlement with Respondents Mark Barbera (Barbera), Forde H. Prigot (Prigot), and James A. Wilson, Jr. The hearing in this matter concluded on October 18, 2007. This Order will resolve several pending matters.

1. Respondents Gregory O. Trautman (Trautman) and Samuel M. Wasserman (Wasserman) request additional time to submit a joint exhibit list. The Division does not object.

2. On November 5, 2007, Prigot requested an extension of the November 6 date on which he is required to submit a signed Offer of Settlement, pursuant to Rule 161(b)(2)(i) of the Commission's Rules of Practice. Barbera made a similar request for an extension on November 8, 2007. The Division does not object to the extension requests.

3. At the hearing, the Division moved into evidence a document identified as Exhibit PX 266, a 164-page transcript of investigative testimony described as the "Confidential, Second Draft, Transcript of an Interview Held on a Voluntary Basis at the Financial Services Authority, 25 The North Colonnade, Canary Wharf, London E14 5HS, 21 June 2006." According to the Division, the Financial Services Authority (FSA) regulates the financial services industry in the United Kingdom. (Division letter of October 30, 2007.) The person interviewed was Lewis Chester (Chester); Martin Weir and Kate Green of the FSA and Mark Salzberg and Paul Gizzi of the Division conducted the interview. (Oct. 18, 2007, Tr. 2725-29.) Trautman and Wasserman object to the introduction into evidence of Exhibit PX 266 in

filings dated October 26 and October 31, 2007. The Division made a responsive filing on October 30, 2007.

4. As discussed at the hearing, Wasserman has offered into evidence the Affidavit of Saul S. Cohen, Esq., and the Affidavit of Rabbi Peter J. Rubenstein. The Division does not object.

5. At the hearing, Trautman had marked for identification two exhibits. Trautman Exhibit 1 is a collection of time stamped trade tickets. Trautman Exhibit 2 is a sketch made during cross examination of the floor plan of the Trautman Wasserman & Company, Inc.'s office in New York City. The Division objects to the introduction into evidence of Trautman Exhibit 1 because it is not possible to make copies that show the time stamp.

Rulings

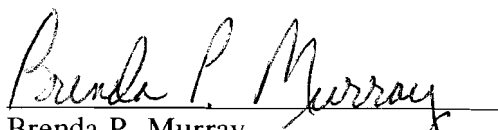
1. Submitting a joint exhibit list is an informal process that assists me in preparing an index of the exhibits. The parties were evidently unable to agree upon a joint list. I will not submit an index of the exhibits to the Office of the Secretary until after November 30. 17 C.F.R. § 201.351(b). Trautman and Wasserman should review the exhibit list that the Division submitted, with a cover letter dated November 2, 2007, and submit any objections or additions before November 30, 2007.

2. I GRANT the extension requests of Prigot and Barbera and extend the due date for Respondents' signed Offers of Settlement an additional fifteen business days from the date of this Order. 17 C.F.R. § 201.161(c).

3. I DENY the Division's request to allow what has been identified as Exhibit PX 266 into evidence. Commission Rule of Practice 235 does not allow admissibility of testimony that is not sworn. The thrust of the Commission's Rules of Practice is that a party should have an opportunity to cross-examine a witness, and neither Trautman nor Wasserman have had an opportunity to question Chester. 17 C.F.R. § 201.326.

4. I ADMIT the Affidavit of Saul S. Cohen, Esq., and the Affidavit of Rabbi Peter J. Rubenstein into evidence as Wasserman Exhibits 1 and 2, respectively.

5. I ADMIT Trautman Exhibits 1 and 2 into evidence. It is customary in Commission hearings for the offering party to provide opposing parties with accurate copies of exhibits. In this situation, the Division could not obtain an accurate copy of Trautman Exhibit 1. However, Rule 320 of the Commission's Rules of Practice does not contain any such requirement, and the contents of both exhibits are discussed in detail on the record so the information they provide is available to the Division. (Oct. 12, 2007, Tr. 1176-99; Oct. 17, 2007, Tr. 2285-90.)


Brenda P. Murray
Chief Administrative Law Judge