

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 1503/June 10, 2014

ADMINISTRATIVE PROCEEDING
File No. 3-15848

In the Matter of

ARMAND R. FRANQUELIN

ORDER FOLLOWING
PREHEARING CONFERENCE

On April 22, 2014, the Securities and Exchange Commission issued an Order Instituting Administrative Proceedings (OIP), pursuant to Section 15(b) of the Securities Exchange Act of 1934 (Exchange Act), against Respondent Armand R. Franquelin (Franquelin). The OIP alleges that on April 18, 2014, a final judgment was entered by default against Franquelin, permanently enjoining him from future violations of Sections 5 and 17(a) of the Securities Act of 1933, Sections 10(b) and 15(a) of the Exchange Act, and Exchange Act Rule 10b-5, in SEC v. Franquelin, No. 1:13-cv-96 (D. Utah) (Civil Action). Franquelin was ordered to pay disgorgement of \$1,529,749.28, plus prejudgment interest of \$709,662.19, in the Civil Action. Franquelin was served with the OIP on May 2, 2014.

Franquelin is in default in this proceeding because he failed to answer the allegations in the OIP, participate in the prehearing conference held yesterday, or otherwise defend the proceeding. See 17 C.F.R. §§ 201.155(a), .220(f), .221(f).

Ruling

I ORDER that the Division of Enforcement file a motion for default by July 9, 2014; Franquelin's opposition is due by July 23, 2014; and the Division's reply, if any, is due by July 30, 2014. It would be helpful if the Division's filing recognized the directives in Rapoport v. SEC, 682 F.3d 98 (D.C. Cir. 2012) and Alchemy Ventures, Inc., Exchange Act Release No. 70708, 2013 SEC LEXIS 3459 (Oct. 17, 2013).

Brenda P. Murray
Chief Administrative Law Judge