

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 2328/February 19, 2015

ADMINISTRATIVE PROCEEDING
File No. 3-15945

In the Matter of

THOMAS A. NEELY, JR.

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PREHEARING ORDER

The Securities and Exchange Commission instituted this proceeding with an Order Instituting Proceedings on June 25, 2014, pursuant to Sections 8A of the Securities Act of 1933 and 21C of the Securities Exchange Act of 1934. The hearing is scheduled to commence on February 23, 2015, at 9:00 a.m. CST, in Birmingham, Alabama. A third prehearing conference, at which both parties and Regions Financial Corporation (Regions) appeared, was held today.

The parties' joint motion to take depositions of five witnesses in lieu of hearing testimony was granted, consistent with 17 C.F.R. §§ 201.233, .235. Each of the five is unable to testify at the hearing.

Issuance of the subpoena requested by Respondent Thomas A. Neely, Jr. (Neely), and directed to Regions, seeking complete personnel files for a list of current and former employees of Regions from January 1, 2008, through December 31, 2010, was denied, consistent with 17 C.F.R. § 201.232(b). Compliance with the subpoena would be unreasonable, oppressive, and unduly burdensome. Additionally, although there was no set deadline for subpoena requests, it was untimely as made shortly before the hearing date.

Neely's requests for *Brady* and *Jencks/Giglio* materials were addressed. The Division of Enforcement (Division) has produced all non-privileged documents responsive to the requests.

The Division's objections to certain of Neely's proposed exhibits were denied, pursuant to the Commission's ruling in *City of Anaheim*, Exchange Act Release No. 42140, 1999 SEC LEXIS 2421 (Nov. 16, 1999).

IT IS SO ORDERED.

/S/ Carol Fox Foelak
Carol Fox Foelak
Administrative Law Judge