

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 2680/May 15, 2015

ADMINISTRATIVE PROCEEDING
File No. 3-16383

In the Matter of

CHARLES L. HILL, JR.

ORDER GRANTING RESPONDENT'S
UNOPPOSED REQUEST FOR
VIDEOTAPED DEPOSITION

The Securities and Exchange Commission issued an Order Instituting Cease-and-Desist Proceedings (OIP) on February 11, 2015. On May 14, 2015, Respondent filed an Unopposed Request for Videotaped Deposition of Scott Cohen.

The Request states that Mr. Cohen will be out of the country from June 13 through July 2015 and will be unable to testify at the hearing, which begins on June 15, 2015. Request at 1. The Request also states that Mr. Cohen's testimony is relevant to the issues to be tried in this matter, the Division intends to introduce at the hearing certain documents provided by Mr. Cohen during its investigation, and the Division did not formally take Mr. Cohen's testimony during the investigation. *Id.* at 1-2. Respondent represents that the Division of Enforcement does not oppose this request. *Id.* at 2.

Pursuant to Commission Rule of Practice 233, 17 C.F.R. § 201.233, I find that Mr. Cohen will likely give testimony material to the proceeding, that Mr. Cohen will be out of the United States during the hearing, and that the taking of the deposition will serve the interests of justice and therefore GRANT Respondent's Unopposed Request for Videotaped Deposition of Scott Cohen.

I ORDER the videotaped and transcribed deposition of Scott Cohen regarding: his friendship and communications with Todd Murphy; his impression of Mr. Murphy; his knowledge of the Radiant Systems, Inc., acquisition from May 2011 through August 2011; his interactions and communications with Andrew Heyman; his interactions and communications with Mr. Hill; the financial gift presented to Mr. Murphy by Mr. Cohen; the August 2011 dinner attended by Mr. Cohen, Mr. Heyman, and Mr. Murphy; and any other matters relating to this proceeding.

The deposition shall take place on June 1, 2015, at the offices of Kilpatrick Townsend & Stockton LLP, Grace Building, 1114 Avenue of the Americas, New York, NY 10036-7703. I designate the court reporter retained for this deposition as the deposition officer.

James E. Grimes
Administrative Law Judge