

## SECURITIES AND EXCHANGE COMMISSION

[File No. 500–1]

### In the Matter of Chang-On International, Inc., Computer Graphics International Inc., Guanwei Recycling Corp., John D. Oil and Gas Company, Legal Life Plans, Inc., Powder River Coal Corp., Reunion Industries, Inc., ThermoEnergy Corporation; Order of Suspension of Trading

August 9, 2016.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the termination of the auditor of Chang-On International, Inc. (China) because it has not filed any periodic reports since the period ended June 30, 2014. Its stock is quoted on OTC Link (previously “Pink Sheets”), operated by OTC Markets Group Inc. (“OTC Link”), under the ticker symbol CAON.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the termination of the auditor of Computer Graphics International Inc. (China) because it has not filed any periodic reports since the period ended December 31, 2013. Its stock is quoted on OTC Link under the ticker symbol CGII.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the termination of the auditor of Guanwei Recycling Corp. (China) because it has not filed any periodic reports since the period ended March 31, 2014. Its stock is quoted on OTC Link under the ticker symbol GPRC.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the termination of the auditor of John D. Oil and Gas Company (Ohio) because it has not filed any periodic reports since the period ended December 31, 2011. Its stock is quoted on OTC Link under the ticker symbol JDOGQ.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the termination of the auditor of Legal Life Plans, Inc. (Tennessee) because it has not filed any periodic reports since the period ended August 31, 2013. Its stock is quoted on OTC Link under the ticker symbol LLFP.

It appears to the Securities and Exchange Commission that there is a

lack of current and accurate information concerning the termination of the auditor of Powder River Coal Corp. (Wyoming) because it has not filed any periodic reports since the period ended September 30, 2013. Its stock is quoted on OTC Link under the ticker symbol POWD.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the termination of the auditor of Reunion Industries, Inc. (Pennsylvania) because it has not filed any periodic reports since the period ended September 30, 2007. Its stock is quoted on OTC Link under the ticker symbol RUNI.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the termination of the auditor of ThermoEnergy Corporation (Massachusetts) because it has not filed any periodic reports since the period ended March 31, 2014. Its stock is quoted on OTC Link under the ticker symbol TMEN.

The Commission is of the opinion that the public interest and the protection of investors require a suspension of trading in the securities of the above-listed companies. Therefore, it is ordered, pursuant to Section 12(k) of the Securities Exchange Act of 1934, that trading in the securities of the above-listed companies is suspended for the period from 9:30 a.m. EDT on August 9, 2016, through 11:59 p.m. EDT on August 22, 2016.

By the Commission.

**Lynn M. Powalski,**

*Deputy Secretary.*

[FR Doc. 2016–19209 Filed 8–9–16; 4:15 pm]

**BILLING CODE 8011–01–P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–78482; File No. SR–IEX–2016–06]

### Self-Regulatory Organizations; Investors Exchange LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend Rule 11.270(c) Concerning Clearly Erroneous Executions

August 5, 2016.

Pursuant to Section 19(b)(1)<sup>1</sup> of the Securities Exchange Act of 1934 (the “Act”)<sup>2</sup> and Rule 19b–4 thereunder,<sup>3</sup>

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 15 U.S.C. 78a.

<sup>3</sup> 17 CFR 240.19b–4.

notice is hereby given that, on July 28, 2016, the Investors Exchange LLC (“IEX” or the “Exchange”) filed with the Securities and Exchange Commission (the “Commission”) the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

#### I. Self-Regulatory Organization’s Statement of the Terms of Substance of the Proposed Rule Change

Pursuant to the provisions of Section 19(b)(1) under the Securities Exchange Act of 1934 (“Act”),<sup>4</sup> and Rule 19b–4 thereunder,<sup>5</sup> Investors Exchange LLC (“IEX” or “Exchange”) is filing with the Securities and Exchange Commission (“Commission”) a proposed rule change to correct the chart in Rule 11.270(c), which sets forth the numerical guidelines for determining if a transaction that is the subject of a complaint shall be found to be clearly erroneous, to specify such guidelines for leveraged exchange traded funds (“ETF”) and exchange traded notes (“ETN”). The Exchange has designated this rule change as “non-controversial” under Section 19(b)(3)(A) of the Act<sup>6</sup> and provided the Commission with the notice required by Rule 19b–4(f)(6) thereunder.<sup>7</sup>

The text of the proposed rule change is available at the Exchange’s Web site at [www.iextrading.com](http://www.iextrading.com), at the principal office of the Exchange, and at the Commission’s Public Reference Room.

#### II. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statement [sic] may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

<sup>4</sup> 15 U.S.C. 78s(b)(1).

<sup>5</sup> 17 CFR 240.19b–4.

<sup>6</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>7</sup> 17 CFR 240.19b–4.

*A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change*

1. Purpose

The purpose of this proposed rule filing is to correct the chart in Rule 11.270(c), which sets forth the numerical guidelines for determining if a transaction that is the subject of a complaint shall be found to be clearly erroneous, to specify such guidelines for leveraged ETFs and ETNs. Due to an oversight, the last line of the chart, entitled "Leveraged ETF/ETN" does not contain all necessary language with respect to the applicable numerical guidelines. Accordingly, IEX proposes to amend the chart so that the last line provides that the numerical guidelines during regular market hours, as well as the Pre-Market Session and Post-Market Session, shall be the "Regular Market Hours Numerical Guidelines multiplied by the leverage multiplier (*i.e.*, 2x)."

The Exchange notes that Rule 11.270 is substantially identical to Bats BZX Exchange, Inc. f/k/a BATS Exchange, Inc. ("BZX") Rule 11.17, which in turn is substantially identical to corresponding rules of the other U.S. securities exchanges that trade equities securities and of the Financial Industry Regulatory Authority, Inc. ("FINRA").<sup>8</sup> Accordingly, the Exchange believes that it is appropriate to amend Rule 11.270(c) to correct the chart contained therein.

2. Statutory Basis

IEX believes that the proposed rule change is consistent with the provisions of Section 6(b)<sup>9</sup> of the Act in general, and furthers the objectives of Section 6(b)(5) of the Act<sup>10</sup> in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. The Exchange believes it is appropriate to make the correction to the chart in Rule 11.270(c) so that the correct guideline is used in its rules. Additionally, the correction will create consistency with the rules of other equities exchanges and eliminate confusion in its rules. In this regard, FINRA and the equities exchanges have adopted substantially identical rules relating to clearly erroneous transactions to provide

consistency in the handling of such transactions. As noted above, the proposed correction will assure that Rule 11.270 is substantially identical to, and consistent with, the rules relating to clearly erroneous transactions of FINRA and the other equities exchanges.<sup>11</sup> The Exchange believes that it is appropriate to make the specified correction to alleviate any confusion among market participants.

*B. Self-Regulatory Organization's Statement on Burden on Competition*

IEX does not believe that the proposed rule change will result in any burden on competition because IEX is merely correcting its rule to correct an inadvertent omission of necessary text.

*C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others*

Written comments were neither solicited nor received.

**III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action**

The Exchange has designated this rule filing as non-controversial under Section 19(b)(3)(A)<sup>12</sup> of the Act and Rule 19b-4(f)(6)<sup>13</sup> thereunder. Because the proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act and Rule 19b-4(f)(6) thereunder.<sup>14</sup> The Exchange notes that its proposal corrects an inadvertent omission and has asked the Commission to waive the 30-day operative delay, making this proposal operative upon filing. As noted above, IEX's proposal adds rule text to IEX Rule 11.270(c) that IEX inadvertently omitted, which conforms IEX's rule to the substantially identical BZX rule. As this proposal will correct the error in IEX's rule, it should alleviate any potential confusion among market participants. For this reason, the

<sup>11</sup> See *supra* note 8 and accompanying text.

<sup>12</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>13</sup> 17 CFR 240.19b-4(f)(6).

<sup>14</sup> 15 U.S.C. 78s(b)(3)(A) and 17 CFR 240.19b-4(f)(6), respectively. In addition, Rule 19b-4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

Commission believes that waiver of the operative delay is consistent with the protection of investors and the public interest and waiver will allow IEX to update its rule without undue delay. Therefore, the Commission hereby waives the operative delay and designates the proposal operative upon filing.<sup>15</sup>

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

**IV. Solicitation of Comments**

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

*Electronic Comments*

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an email to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number SR-IEX-2016-06 on the subject line.

*Paper Comments*

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-IEX-2016-06. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public

<sup>15</sup> For purposes only of waiving the 30-day operative delay, the Commission has also considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

<sup>8</sup> See, e.g., BZX Rule 11.17.

<sup>9</sup> 15 U.S.C. 78f.

<sup>10</sup> 15 U.S.C. 78f(b)(5).

Reference Room, 100 F Street NE., Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-IEX-2016-06, and should be submitted on or before September 1, 2016.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>16</sup>

**Jill M. Peterson,**

*Assistant Secretary.*

[FR Doc. 2016-19052 Filed 8-10-16; 8:45 am]

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-78483; File No. SR-NYSEMKT-2016-68]

### Self-Regulatory Organizations; NYSE MKT LLC; Notice of Filing of Proposed Rule Change, Rule Change, as Modified by Amendment No. 1, Amending NYSE Rule 49—Equities Regarding: (1) The Exchange's Emergency Powers; (2) the Exchange's Disaster Recovery Plans; and (3) Exchange Backup Systems and Mandatory Testing

August 5, 2016.

Pursuant to Section 19(b)(1)<sup>1</sup> of the Securities Exchange Act of 1934 (the "Act")<sup>2</sup> and Rule 19b-4 thereunder,<sup>3</sup> notice is hereby given that, on July 29, 2016, NYSE MKT LLC (the "Exchange" or "NYSE MKT") filed with the Securities and Exchange Commission (the "Commission") the proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

#### I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Rule 49—Equities (Emergency Powers) by (1) replacing the text of current Rule 49—Equities with the Exchange's

proposed disaster recovery plans; and (2) moving the text of current Rule 431 (Exchange Backup Systems and Mandatory Testing) relating to Exchange member organizations to Rule 49—Equities. This Amendment No. 1 supersedes the original filing in its entirety. The proposed rule change is available on the Exchange's Web site at [www.nyse.com](http://www.nyse.com), at the principal office of the Exchange, and at the Commission's Public Reference Room.

#### II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

##### A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

###### 1. Purpose

The Exchange proposes to amend Rule 49—Equities ("Rule 49"), which addresses the Exchange's emergency powers, by (1) replacing the text of current Rule 49 with the Exchange's proposed disaster recovery plans; and (2) moving the text of current Rule 431 (Exchange Backup Systems and Mandatory Testing) relating to Exchange equity member organizations to Rule 49 with no substantive changes. The Exchange further proposes to amend Rules 0—Equities and 431 to specify that Rule 431 would govern Exchange Backup Systems and Mandatory Testing for Exchange ATP Holders only.

The Exchange proposes to amend Rule 49 in two ways. First, the Exchange proposes to replace the current disaster recovery plan, pursuant to which NYSE Arca, Inc. ("NYSE Arca"), the Exchange's affiliate, will act on behalf of and at the direction of the Exchange for auctions and specified regulatory messages in Exchange-listed securities, with a new disaster recovery plan that the Exchange would implement if the Exchange's primary data center is impaired. Under the proposed disaster recovery plan, the Exchange would no longer rely on NYSE Arca to act on its behalf. Rather, the Exchange would operate as a fully electronic exchange

under its own trading rules and would maintain its own order book in its disaster recovery facility. In addition, quotes and trades would be published to the securities information processor ("SIP") as quotes and trades of the Exchange. To reflect this change, the Exchange proposes to delete Rule 49 (Emergency Powers) in its entirety and replace it with new proposed Rule 49(a).<sup>4</sup>

Second, the Exchange proposes to move text from Rule 431 governing Exchange Backup Systems and Mandatory Testing relating to equity member organizations, to proposed Rule 49(b)(N) with only non-substantive changes to update sub-paragraph numbering and cross references. Because Rule 431 relates to mandatory testing of the Exchange's disaster recovery facility, as required by Rule 1004 of Regulation SCI,<sup>5</sup> the Exchange believes that moving the rule text from Rule 431 to Rule 49 for its equity member organizations would make the Exchange's rules easier to navigate by consolidating equity rules with a common theme into a single rule. To incorporate that proposed Rule 49 would also cover mandatory testing requirements for its equity member organizations, the Exchange also proposes to change the title of Rule 49 to "Exchange Business Continuity and

<sup>4</sup> Because the Exchange would not implement proposed Rule 49(a) until after an opportunity to test it with Exchange member organizations, the Exchange proposes to retain current Rule 49 on its books and not delete it until after proposed Rule 49(a) is approved. The Exchange also proposes to file a separate proposed rule change to establish the operative date of paragraph (a) of proposed Rule 49 and delete the current version of the rule. To reduce the potential for any confusion regarding which version of the rule governs, the Exchange proposes to add the following preamble to current Rule 49: "This version of Rule 49—equities will remain operative until the proposed rule changes described in SR-NYSEMKT-2016-68 are approved and the Exchange files a separate proposed rule change to delete this version of Rule 49—Equities and preamble and to establish the operative date of paragraph (a) of 'Rule 49—Equities. Exchange Business Continuity and Disaster Recovery Plans and Mandatory Testing.' Subject to such separate proposed rule change, the Exchange will announce via Trader Update the operative date of the deletion of this Rule and implementation of paragraph (a) of Rule 49—Equities. Exchange Business Continuity and Disaster Recovery Plans and Mandatory Testing." The Exchange also proposes to add a preamble to proposed Rule 49, which would provide: "The Exchange will file a separate proposed rule change to establish the operative date of paragraph (a) of this version of Rule 49—Equities and to delete 'Rule 49—Equities. Emergency Powers' and this preamble. Until such time, 'Rule 49—Equities. Emergency Powers' will remain operative. Subject to such separate proposed rule change, the Exchange will announce via Trader Update the operative date of paragraph (a) of this Rule and deletion of 'Rule 49—Equities. Emergency Powers.'"

<sup>5</sup> 17 CFR 242.1004.

<sup>16</sup> 17 CFR 200.30-3(a)(12).

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 15 U.S.C. 78a.

<sup>3</sup> 17 CFR 240.19b-4.