

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

Administrative Proceedings Rulings
Release No. 5369 / December 12, 2017

Administrative Proceeding
File No. 3-17157

In the Matter of

**Steven Zoernack, and
EquityStar Capital Management,
LLC**

Order Extending Stay

I recently ratified the stay of this proceeding based on the parties' agreement in principle to a settlement on all major terms. *Steven Zoernack*, Admin. Proc. Rulings Release No. 5323, 2017 SEC LEXIS 3965 (ALJ Dec. 7, 2017). Yesterday, the parties submitted a joint motion to extend the time allowed for Respondents to submit their signed settlement offer to the Division of Enforcement. *See* 17 C.F.R. § 201.161(c)(2)(i)(A) (requiring submission of signed settlement offer within fifteen business days). Respondent Steven Zoernack—who is also the representative of Respondent EquityStar Capital Management, LLC—was taken into custody pursuant to a federal district court order on the day after the parties filed their joint motion for a stay. The parties were not able to communicate until December 11, 2017. To account for this unanticipated delay, the parties have requested a fifteen-business-day extension.

For good cause shown, the motion is GRANTED, and Respondents have until January 3, 2018, to submit their signed settlement offer. *See* 17 C.F.R. § 201.161(a), (c)(2)(i)(A). The proceeding remains STAYED and otherwise subject to compliance with Rule 161(c)(2), 17 C.F.R. § 201.161(c)(2), requiring the parties to promptly notify this office if any of the requirements of the rule are not met.

Jason S. Patil
Administrative Law Judge