On November 30, 2017, the Securities and Exchange Commission remanded this case and directed me to reconsider the record and all actions I have taken in this case.\(^1\) The Commission also required me to allow the parties to submit any new, relevant evidence, and determine whether to ratify or revise all prior actions.\(^2\) Finally, I was required to issue an order explaining that I had “completed the reconsideration ordered” by the Commission and “set[] forth a determination regarding ratification.”\(^3\)

After granting the parties the chance to submit evidence and briefing,\(^4\) I complied with the Commission’s directive and issued an order on

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\(^2\) *Id.*

\(^3\) *Id.*

ratification. Near the end of the order, I explained that “[t]he process contemplated by the Commission’s remand order is complete.”

Citing the length of my ratification order and the time needed to review it, Respondent Edward M. Daspin now asks for a ten-day extension of time to file a motion to dismiss under Rule of Practice 111. The Commission, however, remanded this case for a specific and limited purpose, which I have completed. Having complied with the Commission’s limited remand, I no longer have authority over this case.

And Rule 111(h), on which Daspin presumably relies, does not warrant a different result. Under Rule 111(h) “[a] motion to correct is properly filed . . . only if the basis for the motion is a patent misstatement of fact in the initial decision.” But the order I issued on February 20, 2018, was not an initial decision. Rule 111(h), therefore, does not apply.

Daspin’s motion is DENIED. Unless directed by the Commission, I will not adjudicate any further filings from Daspin.

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James E. Grimes
Administrative Law Judge

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6 Id. at *69–70.

7 Cf. Alchemy Ventures, Inc., Securities Exchange Act of 1934 Release No. 70708, 2013 WL 6173809, at *3 & n.25 (Oct. 17, 2013) (“[O]nce the initial decision is issued, our rules largely divest the law judge of authority over the proceedings (including the authority to set aside the default).”).

8 Rule 111(h) has been a frequent topic of Daspin’s filings. See Daspin, 2018 SEC LEXIS 520, at *65–67.

9 17 C.F.R. § 201.111(h) (emphasis added).

10 Daspin’s motion, which was filed 18 months after I issued the initial decision, is also untimely. See id. (a “motion to correct must be filed within ten days of the initial decision”).