

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

Administrative Proceedings Rulings  
Release No. 5638 / March 5, 2018

Administrative Proceeding  
File No. 3-17387

In the Matter of

**Donald F. (“Jay”) Lathen, Jr.,  
Eden Arc Capital Management,  
LLC, and  
Eden Arc Capital Advisors, LLC**

**Order Sealing  
Submission in Part**

On March 1, 2018, Eden Arc Capital Management, LLC, and Eden Arc Capital Advisors, LLC (the Eden Arc Respondents), submitted an affirmation of Donald F. Lathen and four exhibits. Lathen requested that the entire submission be sealed pursuant to my January 25, 2018, order sealing his and the Eden Arc Respondents’ financial information. *Donald F. (“Jay”) Lathen, Jr.*, Admin. Proc. Rulings Release No. 5533, 2018 SEC LEXIS 266, at \*2.

I SEAL Exhibits 1 and 2 only. Exhibits 3 and 4 should not be sealed, as they relate to legal fees incurred by the Eden Arc Respondents, and do not contain sensitive financial information. I also decline to seal Lathen’s affirmation. Although the affirmation contains an estimate of Lathen’s net worth at the time the order instituting proceedings was filed, I previously ruled that I would not seal “affirmations that reference . . . net worth figures” because they “do not provide the detailed financial picture contained” in exhibits and “net worth figures are crucial to addressing eligibility” for relief under the Equal Access to Justice Act. *Lathen*, 2018 SEC LEXIS 266 at \*2-3.

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Jason S. Patil  
Administrative Law Judge