

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

Administrative Proceedings Rulings  
Release No. 5770 / June 4, 2018

Administrative Proceeding  
File No. 3-18070

In the Matter of  
**David Lubin**

**Stay Order**

The Securities and Exchange Commission initiated this proceeding on July 19, 2017. The hearing was to be scheduled following entry of the final amended judgment in the related criminal case, *United States v. Lubin*, No. 1:17-cr-20508 (S.D. Fla.). *David Lubin*, Admin. Proc. Rulings Release No. 5347, 2017 SEC LEXIS 4006, at \*1-2 (ALJ Dec. 11, 2017).

On May 31, 2018, the parties filed a motion to stay the proceeding pursuant to Rule 161(c)(2) of the Commission's Rules of Practice, 17 C.F.R. § 161(c)(2). The parties represent that they have reached a fully dispositive settlement agreement in principle on the only issue remaining—the sanctions to be imposed—and that Respondent submitted a signed offer of settlement on May 31, 2018. Motion at 2. The Division has twenty business days to submit the offer of settlement and its recommendation to the Commission to satisfy the requirement of Rule 161(c)(2)(i)(B), 17 C.F.R. § 201.161(c)(2)(i)(B).

Because the parties are in full compliance with the rule, the motion to stay the proceeding is GRANTED. The proceeding is STAYED, subject to compliance with Rule 161(c)(2), requiring that this office be notified promptly if any requirements of the Rule are not met.

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Brenda P. Murray  
Chief Administrative Law Judge