

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

ADMINISTRATIVE PROCEEDINGS RULINGS

Release No. 6572/May 14, 2019

ADMINISTRATIVE PROCEEDING

File No. 3-18292

In the Matter of	:	
	:	
ANTON & CHIA, LLP,	:	ORDER
GREGORY A. WAHL, CPA,	:	
MICHAEL DEUTCHMAN, CPA,	:	
GEORGIA CHUNG, CPA, and	:	
TOMMY SHEK, CPA	:	

The Securities and Exchange Commission instituted this proceeding with an Order Instituting Proceedings (OIP) on December 4, 2017, pursuant to Sections 4C and 21C of the Securities Exchange Act of 1934 and Rule 102(e) of the Commission's Rules of Practice. The OIP alleges that Respondents violated the antifraud and reporting provisions of the federal securities laws and engaged in improper professional conduct related to audit and/or interim review engagements for three microcap company clients during the years 2013 through 2015. Only Anton & Chia, LLP, Gregory A. Wahl, CPA, Michael Deutchman, CPA, and Georgia Chung, CPA (Respondents), remain in the proceeding.¹

Under consideration are requests by the Division of Enforcement to issue subpoenas to Anton & Chia, Wahl, and Chung.

Items 10-15 of the subpoena requests directed to Wahl and Chung concern their current financial condition. The Division seeks these because it anticipates they will likely argue an inability to pay disgorgement, interest, or penalties. A Respondent who decides to make such an argument will be required provide all information required by Form D-A (17 C.F.R. § 209.1 Form D-A: Disclosure of assets and financial information).² However, the Division cannot pre-empt

¹ The proceeding has ended as to Tommy Shek, CPA. *Anton & Chia, LLP*, Exchange Act Release No. 83622, 2018 SEC LEXIS 1704 (July 12, 2018).

² Respondents are advised that, if they wish to assert an inability to pay disgorgement, interest or penalties that might be imposed in the event of an unfavorable outcome, they must present evidence of inability to pay during this proceeding before the undersigned. See 17 C.F.R. § 201.630; *Terry T. Steen*, Exchange Act Release No. 40055, 1998 SEC LEXIS 1033, at *21-25 (June 2, 1998).

Wahl and Chung's decision. Therefore, Items 10-15 will be stricken as unreasonable and excessive in scope. *See* 17 C.F.R. § 201.232(b).

Item 6 of the requests directed to Wahl and Chung directs them to produce financial statements for NorAsia from 2013 to the present.³ The relevance of this material to the issues in this proceeding is unclear. For example, the OIP does not mention NorAsia. Accordingly, the Division is directed to show "the general relevance and reasonable scope of the . . . evidence sought." *See* 17 C.F.R. § 201.232(b).

The remaining items do not appear obviously "unreasonable, oppressive, excessive in scope, or unduly burdensome." The Division and Respondents are encouraged to confer to resolve any differences concerning them.

IT IS SO ORDERED.

/S/ Carol Fox Foelak
Carol Fox Foelak
Administrative Law Judge

³ Item 6 specifies "All financial statements, including income statements, balance sheets, statements of cash flows, and statements of shareholders' equity, for NorAsia for each of the years 2013 through the present."