

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

ADMINISTRATIVE PROCEEDINGS RULINGS  
Release No. 2032/November 18, 2014

ADMINISTRATIVE PROCEEDING  
File No. 3-16184

In the Matter of  
  
JORDAN PEIXOTO

ORDER DENYING MOTION TO STAY

The Securities and Exchange Commission (Commission) issued an Order Instituting Cease-and-Desist Proceedings (OIP) on September 30, 2014, pursuant to Section 21C of the Securities Exchange Act of 1934, against Respondent Jordan Peixoto (Respondent). The hearing is scheduled to commence on March 16, 2015, in New York, New York.

On November 17, 2014, this Office received an email from Respondent, attaching a Motion to Stay (Motion) this proceeding, arguing that a stay is warranted by the pendency of the appeals in *United States v. Newman*, No. 12-cr-121 (S.D.N.Y.), *appeal pending*, No. 13-1837 (2d Cir. argued April 22, 2014), and *United States v. Chiasson*, No. 12-cr-121 (S.D.N.Y.), *appeal pending*, No. 13-1917 (2d Cir. argued Apr. 22, 2014). There are only two grounds upon which I might grant a stay: (1) the parties have jointly requested one after agreeing to the terms of a settlement; or (2) a prosecutor requests one. 17 U.S.C. §§ 201.161(c)(2), .210(c)(3). Because neither of those grounds exists, “the Commission’s Rules do not expressly articulate the power of this Court to grant a stay,” as Respondent candidly concedes. Motion at 12. Commission Rules of Practice 400(d) and 401(b), upon which Respondent relies, apply to proceedings before the Commission, not to proceedings before me. *Id.*; 17 U.S.C. §§ 201.400(d), .401(b).

Although the forthcoming opinion in the *Newman* and *Chiasson* appeals may or may not affect the outcome of the present proceeding, in the meantime I am under a mandate to issue an Initial Decision by July 2015. OIP at 6. Respondent’s Motion to Stay is therefore DENIED. No opposition to the Motion need be filed by the Division.

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Cameron Elliot  
Administrative Law Judge