

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES ACT OF 1933
Release No. 10434 / November 2, 2017

SECURITIES EXCHANGE ACT OF 1934
Release No. 82007 / November 2, 2017

INVESTMENT ADVISERS ACT OF 1940
Release No. 4804 / November 2, 2017

INVESTMENT COMPANY ACT OF 1940
Release No. 32895 / November 2, 2017

Admin. Proc. File No. 3-17387

In the Matter of

DONALD F. (“JAY”) LATHEN, JR.,
EDEN ARC CAPITAL MANAGEMENT,
LLC, and
EDEN ARC CAPITAL ADVISERS, LLC

NOTICE THAT INITIAL DECISION HAS BECOME FINAL

On August 16, 2017, an administrative law judge issued an initial decision dismissing this proceeding.¹ On September 15, 2017, the law judge issued an order denying in part and granting in part a motion filed by the Division of Enforcement to correct manifest errors of fact.² Nothing further has been filed by the parties and the time for filing a petition for review of the initial decision in this proceeding has expired. Moreover, the Commission has not chosen to review the decision on its own initiative.

Accordingly, notice is hereby given that, pursuant to Commission Rule of Practice 360(d),³ the initial decision, as modified by the law judge’s September 15, 2017 order on motion

¹ *Donald F. (“Jay”) Lathen, Jr., Eden Arc Capital Mgmt., LLC, and Eden Arc Capital Advisers, LLC*, Initial Decision Release No. 1161 (Aug. 16, 2017), 117 SEC Docket No. 08, 2017 WL 3530992.

² *Donald F. (“Jay”) Lathen, Jr., Eden Arc Capital Mgmt., LLC, and Eden Arc Capital Advisers, LLC*, Administrative Proceedings Rulings Release No. 5051 (Sept. 15, 2017), 117 SEC Docket No. 12.

³ 17 C.F.R. § 201.360(d).

to correct manifest errors, has become the final decision of the Commission with respect to Donald F. (“Jay”) Lathen, Jr., Eden Arc Capital Management, LLC, and Eden Arc Capital Advisers, LLC. The order contained in that decision, dismissing proceedings as to Donald F. (“Jay”) Lathen, Jr., Eden Arc Capital Management, LLC, and Eden Arc Capital Advisers, LLC, is hereby declared effective.

For the Commission, by the Office of the General Counsel, pursuant to delegated authority.

Brent J. Fields
Secretary