

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

Administrative Proceedings Rulings  
Release No. 6422 / December 21, 2018

Administrative Proceeding  
File No. 3-18422

In the Matter of

**Joshua D. Mosshart**

**Order Setting  
Supplemental  
Briefing Schedule**

After reviewing the parties' submissions supporting and opposing the Division of Enforcement's motion for summary disposition against Respondent Joshua D. Mosshart and the documents and affidavits attached to Mosshart's previously filed answer, I believe that supplemental submissions would be helpful. Mosshart's opposition brief includes factual refutations and allegations that—if supported by evidence in addition to that attached to his answer—might create genuine issues of material fact precluding summary disposition. *See* 17 C.F.R. § 201.250(b). But his opposition is not supported by declarations or any documentary evidence. He must submit that supporting evidence. *See S.W. Hatfield, CPA*, Securities Exchange Act of 1934 Release No. 73763, 2014 WL 6850921, at \*11 (Dec. 5, 2014); *China-Biotics, Inc.*, Exchange Act Release No. 70800, 2013 WL 5883342, at \*16 (Nov. 4, 2013).

To provide Mosshart, who is representing himself, the opportunity to submit additional evidence, I ORDER that Mosshart may file a supplemental opposition with supporting evidence by January 18, 2019, and the Division may file a supplemental reply by February 1, 2019. Evidence may include copies of any relevant "documentary evidence," such as emails and business records. 17 C.F.R. § 201.250(b). And, if Mosshart wishes to tell the court his own version of events or to allow potential witnesses to tell their version of events, he should do so using "declarations [or] affidavits." *Id.* Declarations should comply with the requirements in 28 U.S.C. § 1746.

---

Cameron Elliot  
Administrative Law Judge