

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

Administrative Proceedings Rulings
Release No. 6815 / February 17, 2021

Administrative Proceeding
File No. 3-19303

In the Matter of

Quicksilver Stock Transfer, LLC,
a/k/a **Quicksilver Stock**
Transfer Corporation

Withdrawal of Counsel
Order

Barney C. Ales, counsel for Respondent Quicksilver Stock Transfer, LLC, has filed a “motion to withdraw as counsel of record.” The Commission has explained, however, that counsel need not seek permission to withdraw.¹ Instead, withdrawing counsel need only file a notice of withdrawal, which is “self-effectuating” if it complies with Commission Rule of Practice 102(d)(4).²

To properly withdraw, counsel must (1) file a notice of withdrawal; (2) provide in the notice specified contact information for (a) withdrawing counsel and (b) the party “for whom the appearance was made”; and (3) provide in the

¹ See *BDO China Dahua CPA Co.*, Exchange Act Release No. 72134, 2014 WL 1871077, at *2 (May 9, 2014).

² See *id.*; 17 C.F.R. § 201.102(d)(4). Rule of Practice 102(d)(4) previously provided that withdrawal was “permitted only by order of the Commission or the hearing officer” if counsel “state[d] with specificity the reasons for such withdrawal.” See Rules of Practice, 60 Fed. Reg. 32,738, 32,746, 32,797 (June 23, 1995); see also Mot. at 2. But the Commission amended Rule 102 in 2004 to permit counsel to withdraw after filing a notice of withdrawal that complies with the rule. See Adoption of Amendments to the Rules of Practice and Delegations of Authority of the Commission, 69 Fed. Reg. 13,166, 13,173 (Mar. 19, 2004); *BDO China*, 2014 WL 1871077, at *2.

notice the effective date of the withdrawal.³ Counsel must file the notice “at least five days before the proposed effective date of the withdrawal.”⁴

Ales’s motion includes his contact information.⁵ It also establishes that Respondent has been dissolved and that its last owner and control person has passed away.⁶ Ales’s motion provides last known addresses for Respondent and its late owner.⁷ Although Ales’s motion does not strictly comply with Rule 102, under the circumstances, strict compliance is neither possible nor necessary. I construe Ales’s motion as a notice of withdrawal and deem it effective as of February 23, 2021, five business days after it was filed.⁸

James E. Grimes
Administrative Law Judge

Served by email on the Division of Enforcement.

³ 17 C.F.R. 201.102(d)(4). If counsel “knows the name, mailing address, email address, and telephone number of the new representative, or knows that the person for whom the appearance was made intends to represent him- or herself,” counsel must include “that information ... in the notice.” *Id.*

⁴ *Id.*

⁵ Mot. at 4.

⁶ Decl. of Counsel at 5.

⁷ *Id.* at 6.

⁸ See 17 C.F.R. § 201.160(a).