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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 6943 / June 10, 2025

ADMINISTRATIVE PROCEEDINGS
File No. 3-22307

In the Matters of

EPIC CAPITAL WEALTH ADVISORS, LLC : ORDER

The Securities and Exchange Commission instituted these proceedings on November 8, 2024: pursuant to Section 203(c)(2)(B) of the Investment Advisers Act of 1940, as to Epic Capital Wealth Advisors, LLC. On January 23, 2025, the Commission issued its Order Setting Proceeding for Expedited Hearing on January 31, 2025. Hearing sessions were held on June 2, 3, 4, and 10, 2025; and a number of exhibits were admitted into evidence. The hearing was closed on June 10. This Order memorializes the undersigned's quashing, in whole or in part, on the record, at the hearing, of three subpoenas requested by Respondent Epic to: (1) Robert Finke, Esq., of the Colorado Attorney General's Office; (2) Joseph Burtness of the Colorado Division of Securities; and (3) Theodore Hartl, Esq., representative of the Receiver of Epic's assets.

Messrs. Finke and Burtness, both represented by the Colorado Attorney General's Office, filed a joint motion to quash or modify the subpoenas directed to them, which are substantially similar. The motion states that they "are producing the entire investigatory and litigation files" to Respondent in response to Items 1 and 2 in the subpoena. At the hearing, Respondent's representative, David Anthony, represented that he had not received any responsive materials. The Colorado Attorney General's Office should promptly confer with Mr. Anthony and produce these documents. Item 3 in both subpoenas seeks communications that are protected by attorney-client privilege, and this portion of each subpoena was, accordingly, quashed.

The subpoena directed to Mr. Hartl, counsel for the receiver, seeks information about the Receiver's management of the receivership estate. This management necessarily took place after the conduct that gave rise to the receivership case. Thus, the information sought in the subpoena is not relevant to the issues in this case – namely, whether Mr. Anthony was enjoined and whether it is in the public interest to deny Epic's registration. Accordingly, the subpoena directed to Mr. Hartl was quashed.

IT IS SO ORDERED.

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