

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

ADMINISTRATIVE PROCEEDING
File No. 3-14880



In the Matter of

JOHN JANTZEN

RESPONSE OF THE DIVISION OF ENFORCEMENT TO REQUEST FOR
MODIFICATION/RELIEF IN RESPECT TO ASSOCIATIONAL BAR

On July 18, 2017, John Jantzen filed a request for “modification/relief in Associational Bar” (“Request”), asking that the Commission issue a notice acknowledging that the term of his five-year associational bar ended on March 7, 2017. However, the Commission order imposing the bar on Jantzen became final on December 10, 2012 and, as a result, Jantzen’s bar does not expire until December 10, 2017. Moreover, Jantzen has not presented any compelling circumstances that would justify modifying the bar. Accordingly, the Commission should deny Jantzen’s Request.

On November 6, 2012, the Law Judge issued an initial decision in this matter, which barred Jantzen from association with any “broker, dealer, investment adviser, municipal securities dealer, transfer agent, or NRSRO for five years.”¹ After the time for review of the Initial Decision expired, on December 10, 2012, the Commission issued an order that the Initial Decision had become final as of that date.² As a result, Jantzen’s bar began to run on that date, and will not expire until December 10, 2017.

In his Request, Jantzen effectively asks the Commission to modify the Finality Order such that his five-year associational bar would have run from March 7, 2012 until March 7, 2017. However, the Commission has previously explained that it will modify an associational sanction only upon a showing of “compelling circumstances.” *Michael H. Johnson*, Securities Exchange Act Release No. 75894, 2015 WL 5305993, at *3 (Sept. 10, 2015). Here, Jantzen claims that the Commission should modify his bar because he ended his “affiliation” with any regulated entity on March 7, 2012, based on his understanding that the bar became effective on that date. Request at 1. However, as noted above, the Finality Order – issued on December 10,

¹ *John Jantzen*, Initial Decision Release No. 472, 2012 WL 5422022 (Nov. 6, 2012) (“Initial Decision”).

² *John Jantzen*, Securities Exchange Act Release No. 68396, 2012 WL 6101866 (Dec. 10, 2012) (“Finality Order”) (“The order contained in [the Initial Decision] is hereby declared effective.”).

2012 – expressly states that “the order contained in [the Initial Decision] is hereby declared effective.” Moreover, Jantzen’s claim that he mistakenly believed that the bar became effective on some earlier date does not constitute a “compelling circumstance” justifying modification of the Finality Order or the term of his bar.

For the reasons set forth above, the Commission should deny the request for modification of Jantzen’s sanction.

Dated: August 23, 2017

Respectfully submitted,



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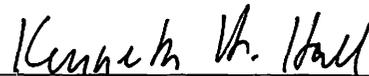
CERTIFICATE OF SERVICE

I certify that on August 23, 2017, I caused a copy of the foregoing Response to be sent by a commercial express delivery service, addressed to:

John Jantzen
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Suite 307 Box 151
Austin, TX 78759

and served by hand on:

Brent J. Fields
Secretary
Securities and Exchange Commission
100 F Street, N.E.
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