

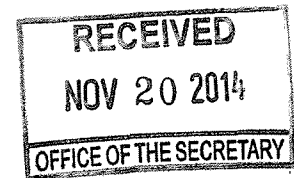


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November 19, 2014



VIA OVERNIGHT DELIVERY

Brent J. Fields, Secretary
Office of the Secretary
U.S. Securities and Exchange Commission
100 F Street, N.E.
Mail Stop 1090
Washington, D.C. 20549

RE: **In the Matter of Jordan Peixoto, AP File No. 3-16184**

MOTION TO STAY

Dear Mr. Fields:

This law firm represents Respondent Jordan Peixoto in the above-referenced administrative proceeding.

Pursuant to Rule 400(d) of the Securities and Exchange Commission's ("Commission") Rules of Practice ("Rules"), Respondent Peixoto filed a Motion to Stay, dated November 17, 2014, with Judge Elliot, the presiding Administrative Law Judge in this matter.

On November 18, 2014, Judge Elliot issued an Order denying the Motion to Stay on the basis that he did not have the authority to grant the requested relief. Attached for your convenience is Judge Elliot's Order.

Accordingly, Respondent Peixoto hereby files the Motion to Stay with the Commission, pursuant to Rules 400(d) and 401.

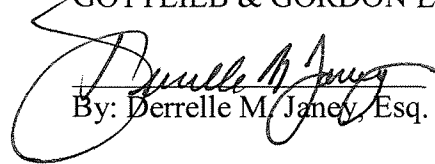
Upon the suggestion of the Office of the Secretary, for purposes of Respondent's instant Motion to Stay to the Commission, please refer to Respondent Peixoto's Motion to Stay,

Certificate of Service, Brief of Points and Authorities in Support, and Declaration of Derrelle M. Janey and attending exhibits (collectively, the "Motion to Stay"), which were filed with the Office of the Secretary as well as served upon the Division of Enforcement on November 18, 2014.

Please do not hesitate to contact us with any questions.

Respectfully submitted,

GOTTLIEB & GORDON LLP

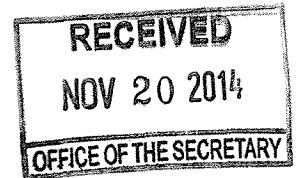

By: Derrelle M. Janey, Esq.

Enclosure

cc: The Honorable Cameron Elliot (via email)
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UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549



ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 2032/November 18, 2014

ADMINISTRATIVE PROCEEDING
File No. 3-16184

In the Matter of

JORDAN PEIXOTO

ORDER DENYING MOTION TO STAY

The Securities and Exchange Commission (Commission) issued an Order Instituting Cease-and-Desist Proceedings (OIP) on September 30, 2014, pursuant to Section 21C of the Securities Exchange Act of 1934, against Respondent Jordan Peixoto (Respondent). The hearing is scheduled to commence on March 16, 2015, in New York, New York.

On November 17, 2014, this Office received an email from Respondent, attaching a Motion to Stay (Motion) this proceeding, arguing that a stay is warranted by the pendency of the appeals in *United States v. Newman*, No. 12-cr-121 (S.D.N.Y.), *appeal pending*, No. 13-1837 (2d Cir. argued April 22, 2014), and *United States v. Chiasson*, No. 12-cr-121 (S.D.N.Y.), *appeal pending*, No. 13-1917 (2d Cir. argued Apr. 22, 2014). There are only two grounds upon which I might grant a stay: (1) the parties have jointly requested one after agreeing to the terms of a settlement; or (2) a prosecutor requests one. 17 U.S.C. §§ 201.161(c)(2), .210(c)(3). Because neither of those grounds exists, “the Commission’s Rules do not expressly articulate the power of this Court to grant a stay,” as Respondent candidly concedes. Motion at 12. Commission Rules of Practice 400(d) and 401(b), upon which Respondent relies, apply to proceedings before the Commission, not to proceedings before me. *Id.*; 17 U.S.C. §§ 201.400(d), .401(b).

Although the forthcoming opinion in the *Newman* and *Chiasson* appeals may or may not affect the outcome of the present proceeding, in the meantime I am under a mandate to issue an Initial Decision by July 2015. OIP at 6. Respondent’s Motion to Stay is therefore DENIED. No opposition to the Motion need be filed by the Division.

Cameron Elliot
Administrative Law Judge