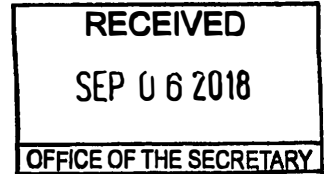


**ADMINISTRATIVE PROCEEDING**  
**File No. 3-16509**

**UNITED STATES OF AMERICA**  
**Before the**  
**SECURITIES AND EXCHANGE COMMISSION**



**In the Matter of**

**EDWARD M. DASPIN,**  
**a/k/a "EDWARD (ED) MICHAEL"**

**DIVISION OF ENFORCEMENT'S**  
**RESPONSE TO RESPONDENT DASPIN'S AUGUST 28, 2018 FILING**

The Division of Enforcement ("Division") respectfully submits this response to *pro se* Respondent Edward Daspin's motion to, in substance, vacate the Administrative Law Judge's ("ALJ's") August 23, 2016 Initial Decision of Default, 2016 SEC LEXIS 2928, (the "Initial Decision"), including the remedies imposed therein; dismiss the Order Instituting Proceedings (the "OIP") as to Daspin; and award Daspin \$2.7 million in compensatory damages or, in the alternative, hire him as a consultant to the Commission to evaluate cases for four years at \$700,000 per year. Daspin also asks the Commission to "reimburse" him for the \$1 million in legal fees paid for by his insurance company (the policy limit) in connection with his prior defense to this proceeding, so that he can defend himself going forward. Daspin emailed his motion to the Commission and the Division on August 28, 2018.


That portion of Daspin's motion seeking to vacate the Initial Decision is moot. By Order dated August 22, 2018, *In re: Pending Administrative Proceedings*, Securities Act of 1933, Release No. 10536, the Commission directed the Chief ALJ to reassign this case for a new hearing before an ALJ not previously assigned to this matter and directed the ALJ not to give

weight to or otherwise presume the correctness of any prior opinions, orders or rulings issued in this matter. The new ALJ has not yet been assigned.

The rest of Daspin's motion is procedurally defective, given that it is in essence a motion for summary disposition, which, in proceedings under the 120 day time frame (which this case is), can only be filed with leave of the ALJ. *See* Commission Rule of Practice 250(c). No such leave has been granted. Accordingly, unless the Commission directs otherwise, the Division does not intend to substantively respond to Daspin's procedurally defective motion unless and until directed to do so by the newly appointed ALJ.

Dated: September 5, 2018  
New York, New York

Respectfully submitted,



---

Kevin P. McGrath  
Senior Trial Counsel  
Nathaniel I. Kolodny  
Barry P. O'Connell  
Senior Counsel  
Securities and Exchange Commission  
New York Regional Office  
200 Vesey Street – Suite 400  
New York, NY 10281-1022  
Ph: 212.336.0533  
Fax: 703-813-9544  
mcgrathk@sec.gov

UNITED STATES OF AMERICA  
Before the  
SECURITIES AND EXCHANGE COMMISSION

ADMINISTRATIVE PROCEEDING  
File No. 3-16509

In the Matter of

EDWARD M. DASPIN,  
a/k/a "EDWARD (ED) MICHAEL"

Respondent.

CERTIFICATE OF SERVICE

I, Barry O'Connell, hereby certify that on September 5, 2018, I caused the original and three copies of the Division of Enforcement's Response to Respondent Daspin's August 28, 2018 Filing to be served upon the Commission and the Respondent, via UPS, at the below addresses:

Mr. Brent J. Fields, Secretary  
Securities and Exchange Commission  
100 F Street, N.E.  
Washington, DC 20549

Edward M. Daspin  
*Pro Se* Respondent

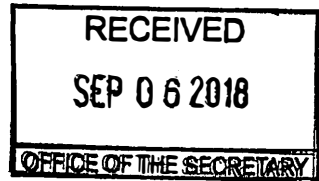
Boonton, NJ

I also caused a copy of the same document to be served upon the Office of the Secretary via facsimile at (202) 772-9324 and upon *pro se* Respondent Edward Daspin by email at [\\_\\_\\_\\_\\_@optonline.net](mailto:_____@optonline.net).

Dated: September 5, 2018  
New York, New York



Barry O'Connell, Senior Counsel  
Securities and Exchange Commission  
New York Regional Office



UNITED STATES  
**SECURITIES AND EXCHANGE COMMISSION**  
NEW YORK REGIONAL OFFICE  
200 VESEY STREET  
NEW YORK, NEW YORK 10281

September 5, 2018

**Via UPS Overnight and Facsimile (202-772-9324)**

Mr. Brent J. Fields, Secretary  
Securities and Exchange Commission  
100 F Street, N.E.  
Washington, DC 20549

Re: In the Matter of Edward M. Daspin,  
A.P. File No. 3-16509

Dear Mr. Fields:

Enclosed please find the original and three copies of the Division of Enforcement's Response to Respondent Daspin's August 28, 2018 Filing, which is submitted in connection with the above-referenced matter.

We request that the enclosed be filed under seal, pursuant to Commission Rule of Practice 322.

Respectfully submitted,

Barry O'Connell

cc: Edward Daspin (via UPS Overnight and email at [REDACTED]@optonline.net)