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UNITED STATES OF AMERICA  
before the  
SECURITIES AND EXCHANGE COMMISSION



SECURITIES EXCHANGE ACT OF 1934  
April 26, 2019

Admin. Proc. File No. 3-18867

In the Matter of  
DANIEL JOSEPH TOUIZER

**RESPONDENT, DANIEL JOSEPH TOUIZER'S,  
MOTION FOR MORE DEFINITE STATEMENT**

Respondent, DANIEL JOSEPH TOUIZER (hereinafter referred to as "Touizer" or "Respondent"), by and through undersigned counsel, pursuant to the Rule 220(d) respectfully moves for an Order requiring a More Definite Statement given the Order instituting Administrative Proceedings failure to state a claim upon which relief can be granted and for failure to plead the alleged fraud at issue with requisite particularity.

1. On October 12, 2018, the Commission issued an Order Instituting Administrative Proceedings Pursuant to Section 15(b) of the Securities Exchange Act of 1934 (hereinafter referred to as the "Order").

2. The Order is based on and references the allegations of *United States v. Daniel Joseph Touizer*, Southern District Case No. 17-60286-CR-BLOOM. However, despite mentioning same and generically referencing stock sales, the Order does not plead any fraud with the requisite particularity which is required to place respondent on notice of the allegations which underlie the Order. The Order fails to address the who, what, when, where and why of who was defrauded, what the fraud scheme was, when the alleged fraud took place and why Respondent's actions

constitute a fraud. All of these elements are necessary for Respondent to be able to effectively frame an Answer and defend same. Furthermore, there is nothing in the Order which makes clear why the action is appropriate or why any purported transactions are not exempt transactions under 10(b)(5) of the Securities Act.

3. Accordingly, Respondent requests the Commission issue an Order requiring a More Definite Statement pursuant to Rule 220(d).

**WHEREFORE**, Respondent, DANIEL JOSEPH TOUIZER, respectfully request that the Securities and Exchange Commission issue an order granting his request for a more definite statement along with such other relief as may be just and proper.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

WE HEREBY CERTIFY that on this 5<sup>th</sup> day of June, 2019, undersigned counsel, pursuant to the Commissions' Rules of Practice, Rule 150, filed the foregoing document with the Office of Secretary via facsimile (202-772-9324) and Federal Express. In addition, service was made on the Commission via email to [APFilings@sec.gov](mailto:APFilings@sec.gov), per its request, as well as to Andrew O. Schiff, Esq., Regional Trial Counsel for the Commission, at [schiffa@SEC.GOV](mailto:schiffa@SEC.GOV), per his request. The foregoing document is also being served via Federal Express on:

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