

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

**ADMINISTRATIVE PROCEEDING**  
**File No. 3-19733**

**In the Matter of**

**NICHOLAS J. GENOVESE**

**DIVISION OF ENFORCEMENT'S POSITION ON RESPONDENT'S REQUEST FOR  
ADDITIONAL TIME TO RESPOND TO THE DIVISION'S MOTION FOR SUMMARY  
DISPOSITION.**

In March 2024, the Division filed a motion for summary disposition against Respondent Nicholas J. Genovese (docketed on March 22, 2024). In May 2024, Respondent filed his Motion for Extension of Time, and his Motion for a Privilege Log, both of which were dated May 6, 2024 (only the Motion for Extension of Time was docketed on May 23, 2024). Subsequently, the Commission issued an order (IA-6762, docketed on November 1, 2024) directing: (i) the Division to file a Privilege Log by December 16, 2024; (ii) Respondent to file his opposition to the Division's motion for summary disposition by January 27, 2025; and (iii) the Division to file its reply brief by February 17, 2025.

On February 6, 2025, the Division received by U.S. Mail a letter motion from Respondent, claiming that the Division purposefully sent the Privilege Log (which Respondent calls a Discovery Log) to his previous mailing address, and that he currently resides at [REDACTED]

[REDACTED]<sup>1</sup> Respondent claims he did not receive the Privilege Log until January 15, 2025.

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<sup>1</sup> The Division denies Respondent's accusation that it purposefully sent the Privilege Log to his prior address so he would not receive it. Until it received Respondent's motion on February 6, 2025, the Division never was aware of Respondent's address at [REDACTED], [REDACTED]. The Division in good faith mailed the Privilege Log to the last known address it had for Respondent.

In his letter motion, which is attached, Respondent is seeking “a 30 day extension to February 27, 2025, to my deadline ....” Although it is unclear to the Division what Respondent intends to file, the Division consents to providing Respondent an extension until February 27, 2025 to file his opposition to the motion for summary disposition. Should the Commission grant the extension, the Division requests that the Commission require the Division to submit a reply brief by March 17, 2025.

February 7, 2025

Respectfully submitted,

Alexander Vasilescu  
Karen Lee  
Attorneys for the Division of Enforcement  
SECURITIES AND EXCHANGE COMMISSION  
New York Regional Office  
100 Pearl Street, Suite 20-100  
New York, NY 10004-2616  
Direct Dial: (212) 336-0178 (Vasilescu)  
Email: ([Vasilescua@sec.gov](mailto:Vasilescua@sec.gov))

Attached: Respondent letter motion received by the Division on February 6, 2025.

cc:  
CERTIFIED MAIL  
Nicholas Genovese

[REDACTED]  
[REDACTED]

UNITED STATES OF AMERICA  
Before the  
SECURITIES AND EXCHANGE COMMISSION

INVESTMENT ADVISORS ACT OF 1940

Release No. 6762 / January 28, 2025

Admin. Proc. File No. 3-19733

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In the matter of

NICHOLAS GENOVESE

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**GOVERNMENT PRIVILEGE LOG SENT TO INCORRECT ADDRESS AND JUST RECEIVED JANUARY 15, 2025.**

On January 15, 2025 I had to go to the Salvation Army at [REDACTED], [REDACTED] [REDACTED] for a meeting. Upon arriving I was handed a piece of mail from the SEC & Vasilescu dated December 16, 2024 that I did not sign for (Exhibit A).

Vasilescu ignored the change of address purposely to delay me receiving the Discovery Log they produced, as ordered by the SEC Release No. 6762

I sent a change of address to the SEC/Vasilescu Release No. 6762 in October that my address was changed to [REDACTED], [REDACTED].

I am a Pro-Se Defendant and I am also under the strict constraints of the BOP & the Salvation Army Half Way house restrictions and Rules limiting my movement.

Accordingly I am requesting a 30 day extension to February 27, 2025, to my deadline due to Vasilescu's intentional delay of me receiving the SEC Ordered documents 30 days late, which is a major violation of my Right to Due Process.

Relief Requested;

That I be granted a small extension of 30 days for my reply to Vasilecu's 30 day late Discovery Log and that date be extended to February, 27, 2025.

Thank you very Much



Nicholas Genovese

Respondent

## Certificate of Service

In accordance with Securities and Exchange Commission's Rules of Practice 150 and 151, 17 C.F.R. §§ 201.150 & .151, I certify that a copy of, Discovery Log Served Wrong Address/Extension of Time request', on the following on January 28, 2025, via US Mail First Class, at the address indicated below:

Securities and Exchange Commission

A. Mircea Vasilescu

20<sup>th</sup> Floor

100 Pearl Street

New York, NY 10009

Vanessa A. Countryman, Secretary

Securities and Exchange Commission

100 F Street, NE

Washington DC 20549

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Respondent

Nicholas Genovese

[REDACTED]

[REDACTED]