

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

ADMINISTRATIVE PROCEEDING
File No. 3-19733

<p>In the Matter of</p> <p>NICHOLAS J. GENOVESE</p>

**DIVISION OF ENFORCEMENT'S REPLY MEMORANDUM IN FURTHER
SUPPORT OF ITS MOTION FOR SUMMARY DISPOSITION**

On March 11, 2024, the Commission issued an order scheduling briefing for the Division of Enforcement's motion for summary disposition. (See Adv. Act Rel. No. 6571). The scheduling order required the Division to file its motion for summary disposition against Respondent by March 22, 2024; Respondent's opposition brief to be filed by May 7, 2024; and the Division's reply brief to be filed by May 21, 2024. The Division filed its summary disposition motion on March 22, 2024 and served Respondent that same day. Subsequently, Respondent requested additional discovery. On November 1, 2024, the Commission issued an order partially granting Respondent's discovery motion and setting a briefing schedule for the Division's summary disposition motion. (Adv. Act Rel. No. 6762). The order directed the Division to file a privilege log and serve it on Respondent;¹ set January 27, 2025, as the deadline for Respondent to file a brief in opposition to the Division's summary disposition motion; and set February 17, 2025, as the deadline for the Division to file a reply brief.

On January 28, 2025, Respondent sent the Commission a request to extend his deadline to oppose the Division's summary disposition motion from January 27, 2025, to February 27, 2025.

¹ On December 11, 2024, the Division filed with the Commission its List of Withheld Documents and served a copy on Respondent.

The Division consented to Respondent's extension request and asked that its own reply brief deadline be extended to March 17, 2025. By Order dated February 12, 2025, the Commission granted Respondent's extension request; set February 27, 2025, as the deadline for Respondent to file his opposition brief to Division's motion for summary disposition; and granted the Division's request to file its reply brief by March 17, 2025. (Adv. Act Rel. No. 6851).

The Division has not received any opposition from Respondent for its motion for summary disposition. To date, the Division has checked the public docket for this administrative proceeding (Admin. Proc. File No. 3-19733) and there is no opposition from the Respondent on that docket. For its summary disposition motion, the Division relies on its papers filed on March 22, 2024.

March 14, 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)

cc:

CERTIFIED MAIL

Nicholas Genovese
