

UNITED STATES OF AMERICA  
BEFORE THE SECURITIES AND EXCHANGE COMMISSION

ADMINISTRATIVE PROCEEDING  
File No. 3-19787

**In the Matter of**

**NANO MAGIC INC.,**

**Respondent.**

**PETITIONER NANO MAGIC INC.'S MOTION FOR LEAVE TO SEEK  
CLARIFICATION ON DEADLINE TO FILE REPLY BRIEF IN SUPPORT OF  
PETITION FOR REVIEW OF INITIAL DECISION ON  
EQUAL ACCESS TO JUSTICE ACT APPLICATION**

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Date of filing: December 24, 2025

Nano Magic, Inc. (“Nano Magic”) submits this Motion pursuant to 17 C.F.R. § 201.154 and respectfully requests clarification of the Commission’s deadline for Nano Magic to file its Reply Brief in Support of Petition for Review of Initial Decision on Equal Access to Justice Act Application.

Nano Magic filed its Brief in Support of Petition for Review of Initial Decision on Equal Access to Justice Act Application (the “Opening Brief”) on October 3, 2025, pursuant to the Commission’s Order Granting Petition for Review and Scheduling Briefs, entered September 3, 2025 (the “September 3 Order”). *Nano Magic, Inc.*, Rel. No. 103832, 2025 WL 2541924 (Sept. 3, 2025). Pursuant to the September 3 Order, the original deadline for the Division of Enforcement (the “Division”) to file its opposition to the Opening Brief was November 3, 2025. *Id.* Those dates were operative until the “Government Shutdown.”

Pursuant to the Commission’s Orders of October 1, 2025 and November 13, 2025 in *Pending Administrative Proceedings*, Rel. Nos. 104162 and 104177, 2025 WL 2803300, 3191887, this matter was stayed following the lapse in federal appropriations. Deadlines in all pending matters were extended first by 43 days and then by an additional 10 days. *Id.* Based on these reset dates, the Division filed its opposition to the Opening Brief on December 19, 2025, notwithstanding that, based on the Division’s own calculations, the Division’s opposition was not due until December 26, 2025. (See Opp’n at 1, FN 1).

Under the schedule initially imposed pursuant to the September 3 Order, Nano Magic’s Reply in Support of its Opening Brief was due on November 17, 2025. Based on the Commission’s Orders staying administrative proceedings, Nano Magic computes its Reply as due 53-days after the initial deadline, on January 9, 2025. Meanwhile, 17 C.F.R. § 201.450(a) provides that “[r]eply briefs shall be filed within 14 days after the date opposition briefs *are*

*due.*" (emphasis added). Because the Division's opposition to the Opening Brief was not "due" until December 26, 2025, Nano Magic respectfully seeks clarification from the Commission and confirmation from the Commission that the deadline for Nano Magic to file its Reply is 14-days after the due date for the Division's opposition -- on January 9, 2025.

Dated: December 24, 2025

Respectfully submitted,

/s/ Jacob S. Frenkel

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**STATEMENT OF ELECTRONIC FILING AND CERTIFICATE OF SERVICE**

The undersigned filed electronically with the Commission this Motion for Leave to Seek Clarification on Deadline to File Reply Brief in Support of Petition for Review of Initial Decision on Equal Access to Justice Act on behalf of Nano Magic Inc. via eFAP filing system and served or delivered courtesy copies, pursuant to SEC Rule of Practice 151(d), to the following, parties and other persons entitled to notice in the manner set forth to the right of each served party:

Securities and Exchange Commission  
c/o Hon. Vanessa A. Countryman, Secretary (via e-mail)  
100 F St., N.E.  
Washington, DC 20549

Office of Administrative Law Judges (via e-mail to [alj@sec.gov](mailto:alj@sec.gov))

Division of Enforcement, Washington, DC  
Attn: Patrick R. Costello, Esq. (via e-mail to [costello@sec.gov](mailto:costello@sec.gov))  
Attn: Gregory R. Bockin, Esq. (via e-mail to [bocking@sec.gov](mailto:bocking@sec.gov))  
100 F Street, N.E.  
Washington, DC 20549-5949

Division of Enforcement, Philadelphia Regional Office  
Attn: Kingdon Kase, Esq. (via e-mail to [kasek@sec.gov](mailto:kasek@sec.gov))  
Attn: Cecilia B. Connor, Esq. (via e-mail to [connorce@sec.gov](mailto:connorce@sec.gov))  
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Courtesy copy to: [Secretarys-Office@sec.gov](mailto:Secretarys-Office@sec.gov) with subject line “Admin. Proc. File No. 3-19787; Nano Magic’s Motion for Leave to Clarify Filing Deadline for Reply Brief.”

Dated: December 24, 2025

Respectfully submitted,

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