

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

ADMINISTRATIVE PROCEEDING
File No. 3-19849

In the Matter of

NEIL BURKHOLZ,

Respondent.

DIVISION OF ENFORCEMENT'S
MOTION TO DISMISS

Pursuant to Rule 154 of the Commission's Rules of Practice and 17 C.F.R. § 200.30-10(a)(8), the Division of Enforcement ("DOE") respectfully requests that the Securities and Exchange Commission ("Commission") dismiss these proceedings against Respondent Neil Burkholz ("Respondent") because he is deceased.

On July 1, 2020, the Commission instituted this proceeding by issuing an Order Instituting Administrative Proceedings Pursuant to Section 203(f) of the Investment Advisers Act of 1940 against Respondent ("OIP"). This is a follow-on proceeding to determine what, if any remedial action is appropriate and in the public interest against Respondent following the entry of an injunction against him in the civil action titled *Securities and Exchange Commission v. Neil Burkholz, et al.*, Civil Action No. 1:19-cv-24713 (S.D. Fla.).

On July 14, 2020, Respondent was served with the OIP. He did not answer.

Respondent died on or about June 19, 2021. His Florida death record is submitted herewith. Because the Respondent is deceased, the relief requested in these proceedings cannot be implemented and there is no purpose or public benefit to continuing the proceedings.

For these reasons, the DOE respectfully requests that the Commission dismiss these proceedings.

DATED: September 7, 2022

Respectfully submitted,

DIVISION OF ENFORCEMENT

By its Attorneys:

Daniel Maher

Daniel Maher
Briana Ripa
Securities and Exchange Commission
100 F Street, NE
Washington, DC 20549

CERTIFICATE OF SERVICE

Pursuant to Rule 150 of the Commission's Rules of Practice, I certify that on September 7, 2022, the foregoing document was filed using the eFAP system.

Daniel Maher

Daniel Maher

Florida Death Record

This data is for informational purposes only.

Decedent Information

Name: BURKHOLZ, NEIL
Address: [REDACTED]
LexID(sm): [REDACTED] 1201

Decedent Personal Information

SSN: [REDACTED]
Gender: MALE
Age: 84
Date of Death: 06/19/2021
Race: WHITE
Date of Birth: [REDACTED]
Birthplace: NEW YORK, UNITED STATES
Marital Status: [REDACTED]
Education: BACHELORS DEGREE

Family Information

Father: [REDACTED]
Mother: [REDACTED]

Death Information

Certifier: PHYSICIAN
Death Location: DELRAY BEACH, PALM BEACH
Death Disposition: [REDACTED]
Hospital Status: HOSPITAL-INPATIENT

Important: The Public Records and commercially available data sources used on reports have errors. Data is sometimes entered poorly, processed incorrectly and is generally not free from defect. This system should not be relied upon as definitively accurate. Before relying on any data this system supplies, it should be independently verified. For Secretary of State documents, the following data is for information purposes only and is not an official record. Certified copies may be obtained from that individual state's Department of State.

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