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UNITED STATES OF AMERICA

SECURITIES AND EXCHANGE COMMISSION

In the Matter of

ALPINE SECURITIES CORPORATION,

Respondent.

Admin Proc. File No. 3-20485

**ALPINE'S MOTION FOR
EXPEDITED REVIEW OF ITS
MOTION FOR AN INTERIM STAY
OR EXTENSION/POSTPONEMENT/
ADJOURNMENT OF
PROCEEDINGS**

Pursuant to Rule 154 of the Commission's Rules of Practice, Respondent Alpine Securities Corporation ("Alpine"), by and through undersigned counsel of record, hereby respectfully requests that the Commission expedite the briefing schedule, its review, and decision on Alpine's Motion for an Interim Stay and/or for Extension, Postponement or Adjournment of Proceedings for Administrative Proceeding File No. 3-20485, filed concurrently herewith ("Motion to Stay/Postpone").

Expedited consideration of Alpine's Motion to Stay/Postpone is necessary to preserve the relief Alpine seeks therein because Alpine is imminently approaching deadlines in this administrative proceeding, as follows:

1. The Division of Enforcement ("Enforcement") for the Commission filed an Order Instituting Administrative Proceedings ("OIP") to commence the above-referenced follow-on administrative proceedings against Alpine on August 26, 2021. Alpine's counsel accepted service of the OIP, on behalf of Alpine, on August 30, 2021.

2. In Section II of the OIP, as the factual basis for the proceeding, Enforcement alleges that a final judgment and permanent injunction was entered against Alpine on October 9, 2019, and summarizes the allegations in Enforcement's Complaint in the underlying civil action in United States District Court for the Southern District of New York, *S.E.C. v. Alpine Securities Corp.*, Civil Action No. 1:17-cv-04179 ("Underlying Civil Action"). See OIP, Admin Proc. File No. 3-20485.

3. The OIP further states that administrative proceedings are being instituted to determine whether the allegations recited in Section II of the OIP "are true," to afford Alpine "an opportunity to establish any defenses to such allegations," and to determine "[w]hat, if any remedial action is appropriate in the public interests against Respondent pursuant to Section 15(b) of the Exchange Act." Other than the reference to Section 15(b), the OIP does not specify what relief Enforcement is seeking. See OIP, Admin Proc. File No. 3-20485.

4. The OIP requires Alpine to file a response within 20 days of service, or by September 20, 2021. See OIP, Admin Proc. File No. 3-20485

5. The OIP directs a prehearing conference to occur within 14 days of the answer, and imposes a "75-day timeframe" under SEC Rule of Practice 360(a)(2)(i) for completion of the

hearing. *See* OIP, Admin Proc. File No. 3-20485 (“This proceeding shall be deemed to be one under the 75-day timeframe specified in Rule of Practice 360(a)(2)(i)”).

6. On July 19, 2021, approximately 5 weeks before the OIP was filed, Alpine filed a petition for writ of certiorari to the United States Supreme Court (“Petition for Certiorari”) for review of the lower court decisions in the Underlying Civil Action, which in turn form the basis for the OIP.

7. Alpine’s concurrently filed Motion to Stay/Postpone seeks (a) an interim stay under SEC Rule of Practice 401 of all further proceedings and deadlines, including the answer and hearing, pending resolution of its Petition for Certiorari; or (b), in the alternative, for an extension of all deadlines, and a postponement or adjournment of the hearing in this proceeding under Rule of Practice 161 until such time as the Supreme Court issues an order granting or denying Alpine’s Petition for Certiorari, without prejudice to Alpine’s ability to seek an additional interim stay of proceedings in the event the Supreme Court grants Alpine’s Petition.

8. Good cause exists to expedite consideration of Alpine’s Motion to Stay/Postpone to ensure that Alpine’s Motion is considered before the deadline for Alpine to answer the OIP and before any hearing is set, in order to preserve the availability of the relief Alpine seeks in the Motion to Stay/Postpone and protect all of Alpine’s rights and defenses. Even answering the OIP, given the present circumstances, puts Alpine in an untenable position. Simply put, unless consideration of Alpine’s Motion is expedited, Alpine may lose the benefit of the relief sought in the Motion.

9. Alpine therefore requests that the Commission resolve Alpine’s Motion for a Stay *prior to September 20, 2021*, when Alpine is required to respond to the OIP.

For the foregoing reasons, Alpine's Motion for Expedited Review of its Motion for an Interim Stay should be Granted.

DATED this 3rd day of September, 2021.

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