UNITED STATES OF AMERICA Before the SECURITIES AND EXCHANGE COMMISSION

IN THE MATTER OF

GREGORY LEMELSON

Respondent.

ADMINISTRATIVE PROCEEDING FILE NO. 3-20828

RESPONDENT'S UPDATE TO TRIBUNAL REGARDING DISTRICT COURT ACTION

Counsel for Respondent Fr. Emmanuel Lemelson (identified in the Order Instituting Administrative Proceedings as "Gregory Lemelson"), submits the following update regarding the District Court Action.

In Respondent's Opposition to the Enforcement Division's Motion for Summary Disposition, filed in this matter on July 29, 2022, Respondent noted that the District Court had yet to rule on Fr. Lemelson's motions to stay the injunction pending appeal and for a new trial. On August 4, 2022, the District Court denied these motions. However, with regard to the motion to stay, the District Court ordered that "the Court grants a temporary stay of 30 days to allow Lemelson to seek relief from the First Circuit." *SEC v. Lemelson*, Civil Action No. 18-11926-PBS, ECF No. 296.

Based on this ruling, the injunction has been stayed until September 6, 2022 (the day after the Labor Day holiday). Fr. Lemelson intends to submit a motion to stay the injunction before the First Circuit shortly, and, in any event, will submit such a motion to stay prior to the expiration of the 30-day stay that the District Court has ordered.

Respondent requests that this Tribunal stay the proceedings pending the First Circuit's ruling on Respondent's motion to stay the injunction upon which this proceeding is premised.

Respectfully Submitted,

REV. FR. EMMANUEL LEMELSON, LEMELSON CAPITAL MANAGEMENT, LLC, and THE AMVONA FUND, LP

By: <u>/s/ Brian J. Sullivan</u> Douglas S. Brooks (BBO No. 636697) Brian J. Sullivan (BBO No. 676186) LIBBY HOOPES BROOKS, P.C. 399 Boylston Street Boston, MA 02116 Tel.: (617)-338-9300 dbrooks@lhblaw.com bsullivan@lhblaw.com

Dated: August 5, 2022

CERTIFICATE OF SERVICE

In accordance with Rules of Practice 150 and 151, 17 C.F.R. §§ 201.150 & 201.151, I certify that a copy of the foregoing document was served on the following on August 5, 2022, via email at the email addresses indicated below:

Marc J. Jones jonesmarc@sec.gov Counsel for Division of Enforcement

Alfred A. Day <u>daya@sec.gov</u> Counsel for Division of Enforcement

> <u>/s/ Brian J. Sullivan</u> Brian J. Sullivan Counsel for Respondent