

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

ADMINISTRATIVE PROCEEDING
File No. 3-21087

In the Matter of

Damian Ostertag,

Respondent.

**STATUS REPORT REGARDING
SETTLEMENT**

The Division of Enforcement (“Division”) respectfully submits this status report. This follow-on administrative proceeding was instituted on September 15, 2022. The Order Instituting Proceedings (“OIP”) was served on Respondent Douglas Martin by U.S. Postal Mail, return receipt requested on September 20, 2022. According to the U.S. Postal Service tracking website, no tracking information is available for that mailing. The OIP was also served by email on Ostertag’s counsel on September 25, 2022.

On February 7, 2023, Division counsel notified the Commission that the Division and Ostertag had reached a settlement in principle of this matter. The Commission granted the parties and extension of time to April 5, 2023 to finalize the settlement and obtain Commission approval. Division counsel proceeded to document the terms of that settlement and begin the process of obtaining settlement approval by the Commission.

Unfortunately, due to the inadvertence of Division counsel, the settlement recommendation was not submitted to the Commission. Accordingly, the Parties respectfully request an additional continuance of three weeks, pending completion of the Commission's consideration of Respondent's settlement offer.

Dated: May 15, 2023

Respectfully submitted,



Lynn M. Dean
Division of Enforcement
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Los Angeles, CA 90071
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CERTIFICATE OF SERVICE

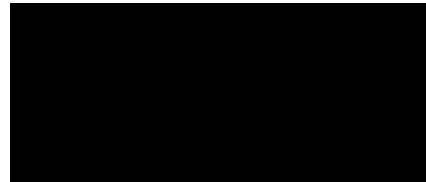
I certify that on May 15, 2023, I caused the foregoing document to be served on the following persons, by electronic mail, facsimile, or by UPS overnight mail as stated:

By eFAP

Vanessa Countryman, Secretary
Securities and Exchange Commission
100 F. Street, N.E., Mail Stop 1090
Washington, DC 20549-1090
Facsimile: (703) 813-9793

By Email

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