

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

ADMINISTRATIVE PROCEEDING
File No. 3-21303

In the Matter of

Bradley C. Reifler,

Respondent.

**UNOPPOSED MOTION FOR
EXTENSION OF TIME TO
RESPOND TO RESPONDENT'S
RENEWED MOTION FOR STAY
DUE TO LACK OF ACCESS**

Pursuant to Section 201.161 of the Commission's Rules of Practice the Division of Enforcement ("Division") hereby files an Unopposed Motion for Extension of Time to Respond to Respondent Bradley C. Reifler's ("Respondent" or "Reifler") Renewed Motion for Stay Due to Lack of Access ("Renewed Motion to Stay"). The Division is requesting a ten (10) business day extension, through and including July 17, 2023, to respond to the Renewed Motion to Stay (or file a motion to stay if the settlement discussions conclude with an agreement in principle) to allow the parties sufficient time to conclude their ongoing settlement discussions. Settlement discussions have been difficult to conduct in an efficient and timely manner, because Reifler is presently incarcerated, representing himself *pro se*, and all calls with him need to be prearranged with a prison counselor who is not always available. If the settlement discussions are successful, it would likely obviate the need for the Division to respond to the Renewed Motion to Stay and the Division would move to stay this proceeding to allow Respondent sufficient time to execute and return the settlement documents and for the Commission to consider the settlement offer without prejudice to any party. By extending the time for the Division to Respond to the Renewed

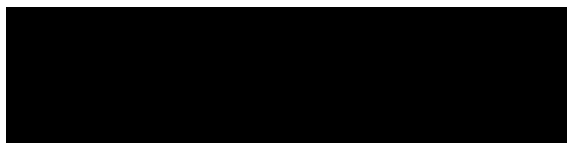
Motion to Stay will allow the parties and this tribunal to preserve litigation and party resources. In further support, the Division states:

1. On May 5, 2023, the Secretary's Office denied Reifler's initial motion to stay.
2. Thereafter, the parties conducted a prehearing conference by telephone and on June 6, 2023, the parties filed their Joint Prehearing Conference Statement.
3. On June 26, 2023, the Division received the Renewed Motion to Stay via an email from the Secretary's Office. It appears that Reifler did not serve his Renewed Motion to Stay on the Division.
4. The parties have been engaging in settlement discussions and are close to an inflection point. Settlement discussions have been slow, since the Division has to go through a prison counselor to speak to the Respondent and the counselor is not always available to arrange the call. For example, the counselor has been unavailable for approximately a week, but we are hopeful that we can speak to Reifler later this week after the counselor returns from the July 4th holiday. The Division has been able to email the Respondent through his CorrLinks email account, so Reifler does have access to the settlement documents, which will allow the parties to discuss in an efficient manner the settlement terms when the parties are able to speak.
5. For good cause shown and not for the purpose of delay, the Division is requesting a ten (10) business day extension, through and including July 17, 2023, to respond to the Renewed Motion to Stay to allow the parties sufficient time to conclude their ongoing settlement discussions.

6. If the settlement discussions are successful, it would likely obviate the need for the Division to respond to the Renewed Motion to Stay and the Division would move to stay this proceeding to allow sufficient time for Reifler to execute and return the settlement documents and for the Commission to consider the settlement offer without prejudice to any party.
7. By extending the time for the Division to Respond to the Renewed Motion to Stay will allow the parties and this tribunal to preserve litigation and party resources.
8. Reifler confirmed by email that he does not oppose this request.

In conclusion, the Division respectfully requests (on an unopposed basis) a ten (10) business day extension, through and including July 17, 2023, to respond to the Renewed Motion to Stay (or file a motion to stay if the settlement discussions conclude with the parties reaching an agreement in principle).

Respectfully submitted this 3rd day of July, 2023.



Terry R. Miller, Esq.
Division of Enforcement
Securities and Exchange Commission
Denver Regional Office
1961 Stout Street, Ste. 1700
Denver, CO 80294

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the Division of Enforcement's Notice of Appearance was served on the following on this 3rd day of July 2023, in the manner indicated below:

Securities and Exchange Commission
Vanessa Countryman, Secretary
100 F Street, N.E.
Mail Stop 1090
Washington, D.C. 20549
(Via eFap filing system)

OIP 3617/3-21303/1A-6242/MH
Inmate Mr. Bradley C. Reifler
Register Number 20251-509
Two Mile Drive
c/o Otisville Federal Correctional I
P.O. Box 1000
Otisville, New York 10963
Respondent
(Via U.S. Mail Certified)

s/ Jennifer Shelby