

**UNITED STATES OF AMERICA**  
**Before the**  
**SECURITIES AND EXCHANGE COMMISSION**

**ADMINISTRATIVE PROCEEDING**  
**File No. 3-21963**

**In the Matter of**

**Joseph Andrew Paul,**  
**Respondent.**

**DIVISION OF ENFORCEMENT'S**  
**MOTION FOR EXTENSION OF TIME TO**  
**RESPOND TO THE ORDER REQUESTING**  
**ADDITIONAL BRIEFING AND MATERIALS**

The Division of Enforcement (the “Division”), pursuant to Commission Rules of Practice (“Rules”) 154(a) [17 C.F.R. § 201.154(a)] and 161(a) [17 C.F.R. § 201.161(a)], respectfully moves the Securities and Exchange Commission (“the Commission”) for an extension of time of 21 days, until Friday, April 4, 2025, to respond to the Order Requesting Additional Briefing and Materials, *Joseph Andrew Paul*, Exch. Act Rel. No. 102406 (Feb. 12, 2025). The Division seeks a 21-day extension to allow the district court in *United States v. Ellis, et al.*, No. 2:17-cr-371 (E.D. Pa.) (the “Criminal Action”) an opportunity to rule on the motion to unseal the factual basis for the guilty plea of respondent Joseph Andrew Paul (“Paul” or “Respondent”), and his sentencing allocution so that the Division can supply the Commission with information it has requested.

**Procedural Background**

On June 12, 2024, the Commission issued an order instituting administrative proceedings (“OIP”) against Joseph Andrew Paul (“Paul” or “Respondent”) pursuant to Section 15(b) of the Securities Exchange Act of 1934 and Section 203(f) of the Investment Advisers Act of 1940. *Joseph Andrew Paul*, Exch. Act Rel. No. 100323, 2024 WL 2958721 (June 12, 2024). Paul was served with the OIP on July 22, 2024, pursuant to Commission Rule of Practice 141(a)(2)(i). Paul

did not file an answer or otherwise appear and defend against the OIP. On September 12, 2024, the Commission issued an Order for Paul to Show Cause as to “why he should not be deemed to be in default and why this proceeding should not be determined against him due to his failure to file an answer or otherwise to defend this proceeding.” *Jospeh Andrew Paul*, Exch. Act. Rel. No. 101002 (Sept. 12, 2024). Paul again failed to respond.

On October 16, 2024, the Division moved for default disposition against Paul and for an order barring Respondent from association with any investment adviser, broker, dealer, municipal securities dealer, municipal advisor, transfer agent, or nationally recognized statistical rating organization, and from participating in an offering of penny stock, based on Respondent’s conviction in Criminal Action and the injunction entered against him in *SEC v. Joseph Andrew Paul, et al.*, No. 2:16-cv-01326-CMR (E.D. Pa.) (the “Civil Action”). On February 12, 2025, the Commission issued an Order Requesting Additional Briefing and Materials. *Joseph Andrew Paul*, Exch. Act Rel. No. 102406 (Feb. 12, 2025).

### **Argument**

Rule 161(a) provides that “the Commission, at any time, ... may, for good cause shown, extend or shorten any time limits prescribed by these Rules of Practice for the filing of any papers and may, consistent with paragraphs (b) and (c) of this section, postpone or adjourn any hearing.”

In consideration requests for extensions of time, the Commission considers the following factors:

- (i) The length of the proceeding to date;
- (ii) The number of postponements, adjournments or extensions already granted;
- (iii) The stage of the proceedings at the time of the request;
- (iv) The impact of the request on the hearing officer’s ability to complete the proceeding in the time specified by the Commission; and
- (v) Any other such matters as justice may require.

17 C.F.R. § 201.161(b)(1).

In this proceeding, a 21-day extension of time is necessary and serves the interests of justice. The proceeding is in its early stages and no prior extensions of time have been requested by the Division. On October 16, 2024, the Division moved for default disposition against Paul after he failed to respond to the OIP and the Order to Show Cause. In its Order Requesting Additional Briefing and Materials, the Commission stated that, in making its determination as to whether it is in the public interest to bar Paul from the securities industry, it “would benefit from further development of the evidentiary record—such as materials from the criminal proceeding showing the factual basis of Paul’s guilty plea, like his change-of-plea colloquy or plea agreement....” *Joseph Andrew Paul*, Exch. Act Rel. No. 102406 (Feb. 12, 2025). Paul’s guilty plea agreement and his change-of-plea colloquy, however, are under seal and unavailable to the Division.

The Division agrees that the best evidence of Paul’s conduct is Paul’s own admissions. Accordingly, the Division has moved the district court in the Criminal Action to unseal the relevant portions of Paul’s plea agreement and change-of-plea colloquy. The Division also has requested the district court to unseal Paul’s allocution at sentencing so that the Commission may determine “the sincerity” of Paul’s “assurances against future violations,” if any. *Steadman v. SEC*, 603 F.2d 1126, 1140 (5th Cir. 1979), *aff’d on other grounds*, 450 U.S. 91 (1981). The United States Attorney’s Office for the Eastern District of Pennsylvania advised that it does not oppose the Division’s motion. Paul’s counsel has not responded to the Division’s request and Paul’s response to the motion is not yet due. While this motion is pending, it is in the interest of justice to grant an additional 21 days for the Division to respond to the Commission’s Order so that the district court can rule on the motion to unseal and the Division can obtain the relevant materials. The Division respectfully requests that Commission grant this request.

### **Conclusion**

For the reasons set forth above, the Division respectfully requests that the Commission grant the Division's Motion and extend the deadline to respond to the Order Requesting Additional Briefing and Materials, *Joseph Andrew Paul*, Exch. Act Rel. No. 102406 (Feb. 12, 2025), for 21 days, until Friday, April 4, 2025.

Dated: March 12, 2025

Respectfully submitted,



Karen M. Klotz  
U.S. Securities and Exchange Commission  
Philadelphia Regional Office  
One Penn Center  
1617 JFK Blvd., Ste. 520  
Philadelphia, PA 19103  
(215) 861-9613 (telephone)  
(215) 597-2740 (facsimile)  
KlotzK@sec.gov  
*Counsel for the Division of Enforcement*

**UNITED STATES OF AMERICA**  
**Before the**  
**SECURITIES AND EXCHANGE COMMISSION**

**ADMINISTRATIVE PROCEEDING**  
**File No. 3-21963**

**In the Matter of**

**Joseph Andrew Paul,**

**Respondent.**

**CERTIFICATE OF SERVICE**

I hereby certify that on March 12, 2025, I caused a copy of the foregoing to be served on Respondent Joseph Andrew Paul via first class U.S. Mail at the address listed below. Respondent reasonably cannot be served electronically because he has not entered his appearance in this matter and has no known email address. Accordingly, he has been served via alternative means in accordance with Rule 150 of the Commission's Rules of Practice.

Mr. Joseph Andrew Paul

[REDACTED]

Respectfully submitted,

[REDACTED]

Karen M. Klotz  
U.S. Securities and Exchange Commission  
Philadelphia Regional Office  
One Penn Center  
1617 JFK Blvd., Ste. 520  
Philadelphia, PA 19103  
(215) 861-9613 (telephone)  
(215) 597-2740 (facsimile)  
KlotzK@sec.gov  
*Counsel for the Division of Enforcement*