UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

ADMINISTRATIVE PROCEEDING
File No. 3-22214

In the Matter of

EVAN H. KATZ,

Respondent.

DIVISION OF ENFORCEMENT'S REQUEST FOR EXTENSION OF TIME TO OPPOSE THE MOTION OF RESPONDENT EVAN H. KATZ FOR RECONSIDERATION OF THE JUNE 3, 2026 ORDER AND, IN THE ALTERNATIVE, FOR A MODIFICATION OF THE SEPTEMBER 27, 2024 ORDER

The Division of Enforcement ("Division") respectfully requests a four-day extension—from June 22 to June 26, 2026—to respond to the "Motion of Respondent Evan H. Katz for Reconsideration of the June 3,2026 Order and, in the Alternative, for a Modification of the September 27, 2024 Order" ("Motion"). The Division received the Motion by email after 7:00 p.m. on Friday, June 12, 2026. Pursuant to Commission Rule of Practice 201.154(b) [17 C.F.R. § 201.154(b)], the Division's response is due June 22, 2026.[1]

Under Rule of Practice 201.470(b) [17 C.F.R. § 201.470(b)], no response to a motion for reconsideration may be filed unless the Commission orders one. The Division therefore will not respond to the reconsideration portion of the Motion. The requested extension is limited to the alternative request for modification of the September 27, 2024 Order. The Division asked Respondent Evan Katz ("Katz") by email whether he will consent to this request and has received no response.

[1] For the purpose of this request, the Division treats Respondent's Motion as subject to the Commission's Rules of Practice. However, the Division reserves the right to assert that Respondent's Motion is not properly before the Commission and/or to make any applicable jurisdictional argument.

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I. Relevant Procedural Background

On September 27, 2024, the Commission issued the Settled OIP against Katz. *In the Matter of Evan H. Katz*, A.P. File No. 3-22214, Sec. Act Rel. No. 11312 (Sept. 27, 2024). The Commission ordered Katz to, *inter alia*, pay a civil penalty of $98,542.97, disgorgement in the amount of $98,542.97, and prejudgment interest of $5,397.83 within 14 days of issuance of the Settled OIP. (*Id*. at 5.) Katz has failed to fully comply with the monetary remedies in the OIP.

Pursuant to Section 20(c) of the Securities Act of 1933 ("Securities Act"), 15 U.S.C. § 77t(c), SEC counsel converted the monetary relief provisions of the Settled OIP to a federal court judgment. On March 31, 2025, the United States District Court for the Eastern District of New York entered judgment against Katz and ordered him to pay the amounts ordered in the Settled OIP plus applicable interest. *SEC v. Katz*, 25-mc-01324 (E.D.N.Y. March 31, 2025) (Dkt. No. 17).

On September 22, 2025, Katz filed the "Application by Respondent Evan H. Katz to Vacate Proceedings" with the Commission seeking to vacate the Settled OIP. The Division opposed that application on December 3, 2025. On December 19, 2025, Katz filed a "Reply Declaration by Respondent Evan H. Katz in Support of Application to Vacate Order Instituting Proceedings."

On June 3, 2026, the Commission issued a seven-page Order denying Katz's application in its entirety.

II. Good Cause Exists to Grant to Extension Request

Pursuant to Commission Rule 201.161 [17 C.F.R. § 201.161], the Commission may extend any deadline for good cause. Undersigned counsel and other Division attorneys who will work on and review the response have scheduling conflicts the week of June 15-19, 2026 that limit their ability to prepare the Division's response by the current deadline. The requested extension is

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modest and Katz will suffer no prejudice from the brief delay. Accordingly, the Division respectfully submits that good cause exists to extend the deadline for its response by four days, to June 26, 2026.

III. **Conclusion**

For the foregoing reasons, the Division respectfully requests that the Commission extend the Division's deadline to respond to the Motion by four days, until June 26, 2026.

Dated: June 16, 2026

Respectfully Submitted,

/s/ Christopher J. Dunnigan

Christopher J. Dunnigan
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Certificate of Service

I, Christopher J. Dunnigan, Senior Trial Counsel for the Division of Enforcement, and counsel of record in this matter, hereby certify that, pursuant to Rule 150 of the Securities and Exchange Commission's Rules of Practice and Rules on Fair Funds and Disgorgement Plans that I caused to be served by UPS and email the Division of Enforcement's Request for Extension of Time to Oppose Respondent Evan H. Katz's Motion for Reconsideration of the June 3, 2026 Order and, in the Alternative, for a Modification of the September 27, 2026 Order upon Howard Fischer, Esq., Moses & Singer LLP, The Chrysler Building 405 Lexington Avenue New York, NY 10174-1299, counsel of record for Respondent Evan H. Katz ("Katz"), and Katz, who filed the pending motion *pro se*.

June 16, 2026

/s/ Christopher J. Dunnigan
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