

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

ADMINISTRATIVE PROCEEDING
File No. 3-22214

In the Matter of

EVAN H. KATZ

Respondent.

**RESPONDENT EVAN H. KATZ'S REQUEST FOR CORRESPONDING
FOUR-DAY EXTENSION OF ANY REPLY DEADLINE AND LIMITED
PROCEDURAL CLARIFICATION REGARDING THE DIVISION'S
EXTENSION REQUEST**

Respondent Evan H. Katz, appearing *pro se*, respectfully requests that, to the extent the Commission grants the Division of Enforcement's June 16, 2026 request to extend the Division's deadline to respond to Respondent's June 12, 2026 Motion, the Commission also grant Respondent a corresponding four-day extension of any reply deadline available to him. Because the Division has not yet served its response or opposition, Respondent cannot now identify the resulting calendar date for any reply. Rather, Respondent requests that any reply deadline otherwise available to him be calculated from the actual date and method of service of the Division's response or opposition, in accordance with the Commission's Rules of Practice and any applicable Commission order, and then extended by four days.

This request is made pursuant to Commission Rule of Practice 161, 17 C.F.R. § 201.161, and is consistent with the ordinary reply framework in Commission Rule of Practice 154(b), 17 C.F.R. § 201.154(b), under which a reply period runs from service of the opposition. The Division has advised Respondent, in writing, that it does not oppose such a corresponding four-day reply extension, and that it will consent to any separate filing or request required to obtain it.

I. Relevant Procedural Background

On June 12, 2026, Respondent timely filed and served on the Division his Motion for Reconsideration of the June 3, 2026 Order Denying Vacatur and, in the Alternative, for Modification of the September 27, 2024 Order, and for a temporary stay of collection pending resolution of that motion.

On June 16, 2026, the Division filed a request for a four-day extension of time, from June 22, 2026 to June 26, 2026, to respond to Respondent's Motion. In that

request, the Division stated that it would not respond to the reconsideration portion of the Motion unless the Commission orders a response, and that its requested extension was limited to Respondent's alternative request for modification of the September 27, 2024 Order.

II. Good Cause Exists for a Corresponding Four-Day Extension of Any Reply Deadline Available to Respondent, to Be Calculated After Service of the Division's Response or Opposition

Good cause exists to grant Respondent a corresponding four-day extension of any reply deadline available to him. The Division requested a four-day extension of time to prepare its response, and Respondent does not oppose that request, provided that Respondent likewise receives the same corresponding extension for any reply.

By e-mail dated June 17, 2026, the Division advised Respondent that the Division "does not oppose a corresponding four-day extension of any reply deadline available to [Respondent], running from the date of service of the Division's response." The Division further stated that, to the extent a separate filing or request is required to obtain that extension, the Division will consent to it.

Accordingly, Respondent respectfully requests that any reply deadline available to him be calculated from the actual date and method of service of the Division's response or opposition, under the Commission's Rules of Practice and any applicable Commission order, and then extended by four days. For avoidance of doubt, Respondent does not request that the Commission fix a calendar date now, because the service date and method of service have not yet occurred, and therefore the reply date is not yet known. This request is limited, reciprocal, consented to by the Division, and will not prejudice the Division or materially delay proceedings before the Commission.

III. Limited Procedural Clarification Regarding the Division's Statement That It Had "Received No Response"

Respondent respectfully submits this limited procedural clarification because the Division's June 16, 2026 extension request stated, without any qualification, that "The Division asked Respondent Evan Katz ("Katz") by email whether he will consent to this request and has received no response." (Division Request at 1, emphasis added.) Respondent does not oppose the Division's requested extension and does not seek to burden the Commission with an unnecessary scheduling dispute. But the quoted statement, if read without timing context, could create the inaccurate impression that Respondent had been afforded a meaningful opportunity to respond and simply failed to do so.

Specifically, the Division requested Respondent's position at approximately 5:35 p.m. this past Monday, June 15, 2026. The Division then filed its extension request at approximately 2:42 p.m. on the immediately following day, Tuesday, June 16, 2026 — less than one full day later, and almost one week before the Division's June 22, 2026 response deadline. In addition, at least one Division attorney had been advised in separate correspondence that Respondent had a substantial pre-existing family obligation

for much of June 16, 2026 and that he therefore would not necessarily be in a position to respond immediately.

After the Division served Respondent with its filed extension request, Respondent responded by e-mail later that afternoon, at approximately 4:48 p.m. on June 16, 2026, stating that he did not object to the requested four-day extension, provided that any reply deadline available to him likewise would be correspondingly extended. Respondent also requested that the Division correct or supplement the record in order to provide the clarifying timing context that is described above.

The Division has since advised Respondent that it will not submit such clarification, and further advised that the Division does not oppose a corresponding four-day extension of Respondent's reply deadline, and that it has no objection to Respondent himself clarifying and advising the Commission of the timing and circumstances in Respondent's own filing.

Respondent does not wish to burden the Commission with an unnecessary scheduling dispute. Respondent's purpose simply is to ensure that the procedural record is complete and that the Division's unqualified statement that it had "received no response" from Respondent is not misunderstood to incorrectly suggest that Respondent was afforded a meaningful opportunity to respond but simply refused or otherwise failed to do so.

IV. Conclusion

For the foregoing reasons, Respondent respectfully requests that, to the extent the Commission grants the Division's June 16, 2026 request extending the Division's response deadline by four days, to June 26, 2026, the Commission likewise also grant Respondent a corresponding four-day extension of any reply deadline available to him, with the resulting reply deadline to be calculated from the actual date and method of service of the Division's response or opposition under the Commission's Rules of Practice and any applicable Commission order, and then extended by four days. Respondent further respectfully submits the limited procedural clarification set forth above so that the Commission has a complete and accurate procedural record concerning the Division's June 16, 2026 extension request and Respondent's response thereto.

Dated: June 17, 2026
New York, New York

Respectfully submitted,

/s/ Evan H. Katz
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CERTIFICATE OF SERVICE

I hereby certify that on June 17, 2026 I caused a true and correct copy of Respondent Evan H. Katz's Request for Corresponding Four-Day Extension of Any Reply Deadline and Limited Procedural Clarification Regarding the Division's Extension Request, and any accompanying papers, to be served by electronic mail upon counsel for the Division of Enforcement in accordance with the Commission's Rules of Practice.

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/s/ Evan H. Katz
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