

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION
May 7, 2018

SECURITIES ACT OF 1933
Release No. 10493 / May 7, 2018

SECURITIES EXCHANGE ACT OF 1934
Release No. 83183 / May 7, 2018

Admin. Proc. File No. 3-16509

In the Matter of

EDWARD M. DASPIN, A/K/A “EDWARD (ED)
MICHAEL”

SUPPLEMENTAL BRIEFING ORDER

On April 23, 2015, the Commission instituted this administrative proceeding and directed that it be presided over by an administrative law judge.¹ The ALJ issued an initial decision on August 23, 2016.² The initial decision found that Edward M. Daspin committed various violations of the securities laws based on the allegations in the order instituting proceedings, which the ALJ deemed to be true after having found Daspin in default.³ The ALJ also imposed sanctions.⁴ Daspin sought Commission review of that decision.⁵ On November 30, 2017, the Commission remanded the matter to the ALJ who issued the initial decision in order for him to conduct a de novo reconsideration and reexamination of the record to determine “whether to

¹ *Edward M. Daspin*, Exchange Act Release No. 74799, 2015 WL 1843839 (Apr. 23, 2015).

² *Edward M. Daspin*, Initial Decision Release No. 1051, 2016 WL 4437545 (Aug. 23, 2016).

³ *Id.*; see also *Edward M. Daspin*, Admin. Proc. Ruling Release No. 3683, 2016 SEC LEXIS 886 (Mar. 8, 2016) (finding Dapin in default).

⁴ *Daspin*, 2016 WL 4437545.

⁵ *Edward M. Daspin*, Exchange Act Release No. 79413, 2016 SEC LEXIS 4421 (Nov. 28, 2016) (granting petition for review and scheduling briefs).

ratify or revise in any respect all prior actions taken by” the ALJ.⁶ As part of the remand, the parties were given the opportunity to submit any new evidence that they deemed relevant and to brief the admissibility of that evidence and whether the ALJ should ratify or revise any action taken by the ALJ.⁷ On February 20, 2018, the ALJ determined, upon reconsideration of the record, to ratify all prior actions he and the previously assigned ALJ had taken, including the initial decision, except that he declined to adopt one prior order and modified two others.⁸

The Commission will now complete its consideration of Daspin’s appeal. Accordingly, it is ORDERED that the parties may file simultaneous briefs, not to exceed 6,000 words, addressing any matters that they deem pertinent in light of the ALJ’s ratification order by June 6, 2018.⁹ They may file simultaneous response briefs, not to exceed 3,000 words, by June 20, 2018. It is unnecessary to restate arguments asserted in previous briefing before the Commission. As indicated in the order granting the petition for review that Daspin filed in 2016, the Commission will determine what sanctions, if any, are appropriate pursuant to Rule of Practice 411(d).¹⁰

For the Commission, by the Office of the General Counsel, pursuant to delegated authority.

Brent J. Fields
Secretary

⁶ *In re Pending Admin. Proceedings*, Exchange Act Release No. 82178, 2017 WL 5969234, at *1–2 (Nov. 30, 2017).

⁷ *Edward M. Daspin*, Admin. Proc. Ruling Release No. 5307, 2017 SEC LEXIS 3917 (Dec. 7, 2017).

⁸ *Edward M. Daspin*, Admin. Proc. Ruling Release No. 5619, 2018 SEC LEXIS 520, at *67–69 (declining to adopt *Edward M. Daspin*, Admin. Proc. Rulings Release No. 2810, 2015 SEC LEXIS 2387 (June 15, 2015) and modifying and adopting Order, *Edward M. Daspin*, Admin. Proc. Rulings Release No. 3041, 2015 SEC LEXIS 3348 (Aug. 14, 2015) and Order, *Edward M. Daspin*, Admin. Proc. Rulings Release No. 4184, 2016 SEC LEXIS 3554 (Sept. 21, 2016)).

⁹ Attention is called to Rules of Practice 150-153, 17 C.F.R. § 201.150-153, with respect to form and service, and Rule of Practice 450(b), 17 C.F.R. § 201.450(b), with respect to content limitations. Requests for extensions of time to file briefs will be disfavored.

¹⁰ *Daspin*, 2016 SEC LEXIS 4421.