

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 86298 / July 3, 2019

INVESTMENT ADVISERS ACT OF 1940
Release No. 5286 / July 3, 2019

INVESTMENT COMPANY ACT OF 1940
Release No. 33544 / July 3, 2019

Admin. Proc. File No. 3-14619

In the Matter of

KEVIN JAMES O'ROURKE

**ORDER VACATING MUNICIPAL SECURITIES DEALER, MUNICIPAL ADVISOR,
TRANSFER AGENT, AND NATIONALLY RECOGNIZED STATISTICAL RATING
ORGANIZATION BARS**

Kevin James O'Rourke seeks to vacate an order, dated September 19, 2012 (the "Order"), to the extent that it bars him from association with a municipal securities dealer, municipal advisor, transfer agent, or nationally recognized statistical rating organization, subject to a right to reapply after two years.¹ The bars at issue were imposed based solely on conduct occurring prior to July 22, 2010, the effective date of the Dodd-Frank Wall Street Reform and Consumer Protection Act.² Accordingly, in our discretion, we vacate the Order to the extent it prohibits Kevin James O'Rourke from associating with a municipal securities dealer, municipal advisor, transfer agent, or nationally recognized statistical rating organization, subject to a right to reapply after two years, but otherwise leave the Order unmodified.

By the Commission.

Vanessa A. Countryman
Secretary

¹ See *Kevin James O'Rourke*, Exchange Act Release No. 67890, 2012 WL 4104781 (Sept. 19, 2012).

² See *Bartko v. SEC*, 845 F.3d 1217, 1225 (D.C. Cir. 2017); Commission Statement Regarding Decision in *Bartko v. SEC* (Feb. 23, 2017), available at <https://www.sec.gov/news/statement/commission-statement-regarding-bartko-v-sec.html>.