

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 91072 / February 5, 2021

Admin. Proc. File No. 3-20126

In the Matter of the Application of

MICHAEL JOSEPH CLARKE

For Review of Disciplinary Action Taken by

FINRA

EXTENSION
ORDER

Michael Joseph Clarke, a pro se applicant for review of FINRA disciplinary action, has sent an email to apfilings@sec.gov and FINRA counsel that we construe as an unopposed request for a thirty-day extension of time for filing an opening brief in this matter. Under the circumstances, it appears appropriate to grant Clarke's request for good cause shown.

Accordingly, IT IS ORDERED pursuant to Rule 161 of the Commission's Rules of Practice¹ that Clarke's time for filing a brief in support of the application for review is extended to March 8, 2021. A brief in opposition shall be filed by April 7, 2021, and any reply brief shall be

¹ 17 C.F.R. § 201.161.

filed by April 21, 2021.² Pursuant to Rule 180(c) of the Rules of Practice, failure to file a brief in support of the application may result in dismissal of this review proceeding.³

For the Commission, by its Secretary, pursuant to delegated authority.⁴

Vanessa A. Countryman
Secretary

² Clarke is reminded that he must comply with the Commission's Rules of Practice, which are available at <https://www.sec.gov/about/rulesofpractice.shtml>. Attention is called to Rule of Practice 450(b) and (c), 17 C.F.R. § 201.450(b) and (c), with respect to content and length limitations, and Rules of Practice 150 - 153, 17 C.F.R. § 201.150 - .153, with respect to form and service, as well as the Commission's March 18, 2020 order providing further instructions regarding the filing and service of papers in appeals of action taken by FINRA. *See In re: Pending Administrative Proceedings*, Exchange Act Release No. 88415, <https://www.sec.gov/litigation/opinions/2020/33-10767.pdf>. Also, the Commission's Rules of Practice were recently amended to include new e-filing requirements, which take effect on April 12, 2021. *Amendments to the Commission's Rules of Practice*, 85 Fed. Reg. 86,464, 86,474 (Dec. 30, 2020); *see also Amendments to the Commission's Rules of Practice*, Exchange Act Release No. 90442, 2020 WL 7013370 (Nov. 17, 2020); *Instructions for Electronic Filing and Service of Documents in SEC Administrative Proceedings and Technical Specifications*, <https://www.sec.gov/efapdocs/instructions.pdf>. The amendments also impose other obligations on parties to administrative proceedings such as a new redaction and omission of sensitive personal information requirement. *Amendments to the Commission's Rules of Practice*, 85 Fed. Reg. at 86,465–81. We note that the parties have agreed to waive paper service of all opinions and orders and instead accept service by email.

³ 17 C.F.R. § 201.180(c).

⁴ 17 CFR § 200.30-7(a)(4).