

UNITED STATES OF AMERICA  
before the  
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934  
Release No. 91277 / March 8, 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](mailto:apfilings@sec.gov) that we construe as a request for an extension of time until March 15, 2021, for filing an opening brief in this matter.<sup>1</sup> 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 Practice<sup>2</sup> that Clarke's time for filing a brief in support of the application for review is extended to March 15, 2021. A brief in opposition shall be filed by April 14, 2021, and any reply brief shall

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<sup>1</sup> 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>, and require that he serve FINRA with motions, briefs, and other papers that he files in this proceeding. See Commission Rule of Practice 150(a), 17 C.F.R. § 201.150(a). The Office of the Secretary has sent Clarke's request to FINRA, and FINRA has not yet stated its position on his request.

<sup>2</sup> 17 C.F.R. § 201.161.

be filed by April 28, 2021.<sup>3</sup> 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.<sup>4</sup>

For the Commission, by its Secretary, pursuant to delegated authority.<sup>5</sup>

Vanessa A. Countryman  
Secretary

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<sup>3</sup> 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*, Exchange Act Release No. 90442, 2020 WL 7013370 (Nov. 17, 2020), 85 Fed. Reg. 86,464, 86,474 (Dec. 30, 2020), <https://www.govinfo.gov/content/pkg/FR-2020-12-30/pdf/2020-25747.pdf>; *see also 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.

<sup>4</sup> 17 C.F.R. § 201.180(c).

<sup>5</sup> 17 CFR § 200.30-7(a)(4).