

UNITED STATES OF AMERICA  
before the  
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934  
Release No. 92079 / June 1, 2021

Admin. Proc. File No. 3-20276

In the Matter of the Application of  
  
MICHAEL CLARK,  
  
For Review of Action Taken by  
  
FINRA

ORDER  
SCHEDULING  
BRIEFS

Michael Clark filed an application, pursuant to Section 19(d)(2) of the Securities Exchange Act of 1934,<sup>1</sup> for review of action taken against him by the Financial Industry Regulatory Authority ("FINRA").<sup>2</sup> FINRA filed a copy of the index to the record on May 10, 2021, pursuant to Rule 420(e) of the Rules of Practice.<sup>3</sup>

Accordingly, IT IS ORDERED, pursuant to Rule 450(a) of the Rules of Practice,<sup>4</sup> that a brief in support of the application for review shall be filed by July 1, 2021. A brief in

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<sup>1</sup> 15 U.S.C. § 78s(d)(2).

<sup>2</sup> Clark also filed a motion for a stay, which is pending before the Commission.

<sup>3</sup> 17 C.F.R. § 201.420(e).

<sup>4</sup> 17 C.F.R. § 201.450(a).

opposition shall be filed by July 31, 2021, and any reply brief shall be filed by August 14, 2021.<sup>5</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>6</sup>

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

Vanessa A. Countryman  
Secretary

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<sup>5</sup> As provided by Rule 450(a), no briefs in addition to those specified in this schedule may be filed without leave of the Commission. 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 took 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.

<sup>6</sup> 17 C.F.R. § 201.180(c).