

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 93578 / November 15, 2021

Admin. Proc. File No. 3-20485

In the Matter of

ALPINE SECURITIES CORPORATION

ORDER DENYING AS MOOT RESPONDENT'S MOTION FOR AN INTERIM STAY OR
EXTENSION/POSTPONEMENT/ADJOURNMENT OF PROCEEDINGS

On August 26, 2021, the Securities and Exchange Commission issued an order instituting administrative proceedings ("OIP") against Alpine Securities Corporation pursuant to Section 15(b) of the Securities Exchange Act of 1934.¹ The OIP alleged that a federal district court had entered an injunction against Alpine and instituted proceedings to determine whether any remedial action was in the public interest.² After the Second Circuit Court of Appeals upheld the injunction,³ Alpine filed a petition for writ of certiorari with the Supreme Court.

On September 3, 2021, Alpine filed a Motion for an Interim Stay or Extension/Postponement/Adjournment of Proceedings ("Stay Motion"). The Stay Motion requested an interim stay, or in the alternative an extension, postponement, or adjournment, of this proceeding, until Alpine's then-pending petition for writ of certiorari was resolved.

On November 9, 2021, Alpine filed a notice of the Supreme Court's denial of its petition for writ of certiorari.⁴ In the notice, Alpine recognized that, as a result of the denial of certiorari, its Stay Motion is now moot. It requested that the Commission set a deadline for filing its answer.

¹ *Alpine Sec. Corp.*, Exchange Act Release No. 92775, 2021 WL 3836056 (Aug. 26, 2021).

² *Id.*; see also *SEC v. Alpine Sec. Corp.*, 413 F. Supp. 3d 235, 251 (S.D.N.Y. 2019) (explaining imposition of injunction against future violations of Exchange Act Section 17(a) and Rule 17a-8).

³ *SEC v. Alpine Sec. Corp.*, 982 F.3d 68 (2d Cir. 2020).

⁴ See *Alpine Sec. Corp. v. SEC*, 595 U.S. ___, No. 21-82, 2021 WL 5167847 (U.S. Nov. 8, 2021).

Accordingly, IT IS ORDERED that Alpine's Stay Motion is DENIED as moot. IT IS FURTHER ORDERED that Alpine shall file an answer to the order instituting proceedings by December 13, 2021.⁵

The parties' attention is directed to the most recent amendments to the Commission's Rules of Practice, which took effect on April 12, 2021, and which include new e-filing requirements.⁶

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

Vanessa A. Countryman
Secretary

⁵ See *Alpine Sec. Corp.*, Exchange Act Release No. 93054, 2021 WL 4242632, at *1 (Sept. 17, 2021) (extending Alpine's deadline for filing its answer to the OIP until 14 days after resolution of its Stay Motion based on the "particular circumstances" of the case). We have extended the deadline by more than 14 days after the resolution of Alpine's Stay Motion because Thanksgiving Day falls toward the end of that 14-day period.

⁶ *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.sec.gov/rules/final/2020/34-90442a.pdf>; *Instructions for Electronic Filing and Service of Documents in SEC Administrative Proceedings and Technical Specifications*, <https://www.sec.gov/efapdocs/instructions.pdf>. The amendments impose other obligations 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.