

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 94111 / January 31, 2022

Admin. Proc. File No. 3-20639

In the Matter of the Application of
DREAMFUNDED MARKETPLACE, LLC and
MANUEL FERNANDEZ
For Review of Disciplinary Action Taken by
FINRA

EXTENSION ORDER

On October 28, 2021, DreamFunded Marketplace, LLC (“DreamFunded”) and Manuel Fernandez (collectively, “Applicants”) filed an application, pursuant to Section 19(d)(2) of the Securities Exchange Act of 1934,¹ for review of FINRA disciplinary action taken against them.

An Order Scheduling Briefs was issued on December 1, 2021, directing Applicants to file a brief in support of the application by January 3, 2022.² The order also notified Applicants that, pursuant to Rule of Practice 180(c),³ “failure to file a brief in support of the application may result in dismissal of this review proceeding.”⁴ Applicants did not file an opening brief.

On Friday, January 21, 2022, FINRA filed a motion to dismiss the application for review as abandoned. FINRA observed that Applicants had neither filed a brief in support of their application for review nor requested an extension of time to file a brief. FINRA also moved to stay the need to file a response brief while its motion to dismiss was pending.

The following Monday, January 24, 2022, Applicants filed with the Commission a “Motion to Extend the Briefing Schedule,” in which they contend that their appeal “should not

¹ 15 U.S.C. § 78s(d)(2).

² *DreamFunded Marketplace, LLC*, Exchange Act Release No. 93697, 2021 WL 5632514, at *1 (Dec. 1, 2021).

³ 17 C.F.R. § 201.180(c).

⁴ *DreamFunded*, 2021 WL 5632514, at *1.

be dismiss[ed] as abandoned.”⁵ Applicants, who are *pro se*, instead request a 60-day extension to file their opening brief. As grounds for their request, Applicants assert that they are currently seeking legal counsel and that Fernandez had COVID-19. It appears appropriate to grant Applicants’ request for good cause shown.⁶ We will also extend the time for FINRA to file its opposition brief to 60 days after Applicants file their opening brief.

Accordingly, it is ORDERED pursuant to Rule 161 of the Commission’s Rules of Practice⁷ that a brief in support of the application for review shall be filed by April 1, 2022. A brief in opposition shall be filed by May 31, 2022, and any reply brief may be filed by June 14, 2022.⁸ The parties are reminded that, pursuant to Rule 180(c) of the Commission’s Rules of Practice, failure to file a brief in support of the application may result in dismissal of this review proceeding.⁹

For the Commission, by its Secretary, pursuant to delegated authority.¹⁰

Vanessa A. Countryman
Secretary

⁵ Although dated January 20, 2022, Applicants’ motion was not filed until January 24, 2022. Applicants claim that they had “called and left [] messages with SEC staff before the” filing deadline, but the Rules of Practice do not permit parties to make an oral motion “unless made during a hearing or conference.” See Rule of Practice 154(a), 17 C.F.R. § 201.154(a).

⁶ We remind Applicants that “we expect even unrepresented parties to comply with our rules, to file all required papers, and to comply with all orders: ‘Parties, including those appearing *pro se*, are obligated to familiarize themselves with the Rules of Practice.’” *BDO China Dahua CPA Co., Ltd.*, Exchange Act Release No. 72134, 2014 WL 1871077, at *3 (May 9, 2014) (quoting Adopting Release, *Rules of Practice*, Exchange Act Release No. 35833, 1995 WL 368865, at *36 (June 9, 1995)); see also Rule of Practice 161(b)(1), 17 C.F.R. § 201.161(b)(1).

⁷ 17 C.F.R. § 201.161.

⁸ 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 Rules 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.

⁹ See 17 C.F.R. § 201.180(c).

¹⁰ 17 C.F.R. § 200.30-7(a)(4).