

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 96268 / November 8, 2022

Admin. Proc. File No. 3-20816

In the Matter of

ANITA SGARRO

SECOND ORDER REGARDING STATUS REPORT

On April 8, 2022, the Securities and Exchange Commission issued an order instituting administrative proceedings (“OIP”) against Anita Sgarro pursuant to Section 15(b) of the Securities Exchange Act of 1934.¹ Sgarro was served with the OIP and filed an answer.² The prehearing conference was continued while the parties engaged in efforts to settle the proceeding.³ The parties represented that the Division of Enforcement had sent Sgarro a settlement offer and that Sgarro needed more time to consider the offer and to engage counsel.⁴

On October 31, 2022, the Division filed a status report stating that Sgarro again represented to the Division that she cannot discuss the settlement offer until a post-judgment motion pending in her criminal case is resolved and that she has identified, but not yet retained, counsel in this proceeding. The status report also stated that Sgarro has proposed an additional 60-day stay of this proceeding or until the motion in the criminal case is resolved; and that the Division agrees to a 60-day stay, but believes that, if Sgarro has not accepted the settlement offer by then, the parties should propose a schedule for motions for summary disposition.

We do not believe that it is appropriate to indefinitely delay the resolution of this proceeding. Accordingly, it is ORDERED that Sgarro shall have until January 9, 2023, to consider the Division’s settlement offer. If Sgarro has not accepted the offer by that date, then the parties shall conduct a prehearing conference by January 30, 2023, and file a statement advising the Commission of any agreements reached at the prehearing conference, including as

¹ *Anita Sgarro*, Exchange Act Release No. 94660, 2022 WL 1058704 (Apr. 8, 2022).

² *Anita Sgarro*, Exchange Act Release No. 95113, 2022 WL 2191139 (June 16, 2022).

³ *Anita Sgarro*, Exchange Act Release No. 95636, 2022 WL 3757568 (Aug. 30, 2022); *Anita Sgarro*, 2022 WL 2191139.

⁴ *Anita Sgarro*, 2022 WL 3757568; *Anita Sgarro*, 2022 WL 2191139.

to a schedule for motions for summary disposition, by February 13, 2023. If a party fails to participate in the prehearing conference, it may be deemed to be in default and the proceeding may be determined against it.⁵

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

Vanessa A. Countryman
Secretary

⁵ Rules of Practice 155(a), 221(f), 17 C.F.R. §§ 201.221.