

UNITED STATES OF AMERICA  
before the  
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934  
Release No. 96449 / December 6, 2022

Admin. Proc. File No. 3-21233

In the Matter of  
  
MICHAEL J. ASSENZA  
AKA "MICHAEL GRIMALDI"

ORDER GRANTING JOINT MOTION TO STAY

On November 4, 2022, the Securities and Exchange Commission issued an order instituting administrative proceedings against Michael Assenza pursuant to Section 15(b) of the Securities Exchange Act of 1934.<sup>1</sup> On December 1, 2022, the Division of Enforcement and Assenza filed a joint motion for a stay based on the parties' agreement in principle to a settlement on all major terms of this proceeding.

Rule of Practice 161(c)(2) governs stays pending Commission consideration of an offer of settlement only in administrative proceedings that have been set before a hearing officer.<sup>2</sup> This proceeding was set before the Commission, so Rule 161(c)(2) does not apply; nevertheless, it appears appropriate to apply similar standards to this motion.

Accordingly, it is ORDERED that the joint motion is GRANTED and that this proceeding is stayed. The stay is contingent on the submission to the Commission of Assenza's signed offer of settlement and the Division's accompanying recommendation no later than January 31, 2023. If this deadline is not met or if the Commission rejects the offer of settlement, the parties shall file a joint status report within 7 days of that event.

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

Vanessa A. Countryman  
Secretary

<sup>1</sup> *Michael J. Assenza*, Exchange Act Release No. 96240, 2022 WL 16709999 (Nov. 4, 2022).

<sup>2</sup> 17 C.F.R. § 201.161(c)(2).