

UNITED STATES OF AMERICA  
before the  
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934  
Release No. 96647 / January 12, 2023

Admin. Proc. File No. 3-21087

In the Matter of  
DAMIAN OSTERTAG

ORDER REGARDING SERVICE

The Securities and Exchange Commission (“Commission”) issued an order instituting administrative proceedings (“OIP”) on September 15, 2022, pursuant to Section 15(b) of the Securities Exchange Act of 1934, against Damian Ostertag.<sup>1</sup> It appears that there have been no filings in this proceeding since issuance of the OIP, including as to whether the OIP was served upon Ostertag. To assist the Office of the Secretary in maintaining a record of service that establishes that the OIP has been properly served,<sup>2</sup> IT IS ORDERED that the Division of Enforcement file a status report concerning service of the OIP by January 26, 2023, and every 28 days thereafter until service is accomplished.

The parties’ attention is directed to the e-filing requirements in the Rules of Practice.<sup>3</sup>

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<sup>1</sup> *Damian Ostertag*, Exchange Act Release No. 95788, 2022 WL 4288943 (Sept. 15, 2022).

<sup>2</sup> *See* Rule of Practice 141(a)(3), 17 C.F.R. § 201.141(a)(3).

<sup>3</sup> *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 redaction and omission of sensitive personal information requirement. *Amendments to the Commission’s Rules of Practice*, 85 Fed. Reg. at 86,465–81.

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

Vanessa A. Countryman  
Secretary