

UNITED STATES OF AMERICA  
before the  
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934  
Release No. 96947 / February 16, 2023

Admin. Proc. File No. 3-20204

In the Matter of  
  
ADVANCE PRACTICE ADVISORS, LLC  
  
and  
  
PAUL C. SPITZER

ORDER GRANTING AN EXTENSION OF TIME

On January 14, 2021, the Securities and Exchange Commission (“Commission”) instituted administrative proceedings against Advance Practice Advisors, LLC, and Paul C. Spitzer (collectively, “Respondents”), pursuant to Sections 203(e), 203(f), and 203(k) of the Investment Advisers Act of 1940.<sup>1</sup> The same day that it instituted the proceeding, the Commission accepted Respondents’ offer of settlement and entered an order imposing remedial sanctions, including a limitation preventing Spitzer from acting in a supervisory capacity with any broker, dealer, investment adviser, municipal securities dealer, municipal advisor, transfer agent, or nationally recognized statistical rating organization.<sup>2</sup>

On December 29, 2022, Spitzer filed a “Motion to Dismiss Order Instituting Remedial Sanction of Bar on Supervisory Activities.” On February 8, 2023, Spitzer filed a reply brief in support of that motion and a “Motion to Appear and Argue at Hearing Before Commission.” On February 13, 2023, Spitzer and the Division of Enforcement filed a stipulation in which they agreed that the due date for the Division’s response to Spitzer’s motion for oral argument should be extended to March 1, 2023.

On March 18, 2020, the Commission issued an order providing that, pending further order of the Commission, reasonable requests for extensions of time will not be disfavored as

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<sup>1</sup> *Advance Practice Advisors, LLC*, Exchange Act Release No. 5670, 2021 WL 136246 (Jan. 14, 2021).

<sup>2</sup> *Id.* at \*5-6.

stated in Commission Rule of Practice 161.<sup>3</sup> Under the circumstances, it appears appropriate to grant the requested extension for good cause shown.<sup>4</sup>

Therefore, it is ORDERED that the time for the Division to respond to Spitzer's Motion to Appear and Argue at Hearing Before Commission is extended to March 1, 2023.

The parties' attention is directed to the e-filing requirements in the Rules of Practice.<sup>5</sup>

For the Commission, by its Secretary, pursuant to delegated authority.<sup>6</sup>

Vanessa A. Countryman  
Secretary

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<sup>3</sup> *In re Pending Administrative Proceedings*, Exchange Act Release No. 88415, 2020 WL 1322001 (Mar. 18, 2020), <https://www.sec.gov/litigation/opinions/2020/33-10767.pdf>.

<sup>4</sup> 17 C.F.R. § 201.161.

<sup>5</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.

<sup>6</sup> 17 C.F.R. § 200.30-7(a)(4).