

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 97515 / May 17, 2023

Admin. Proc. File No. 3-20816

In the Matter of

ANITA SGARRO

ORDER EXTENDING TIME FOR RESPONDENT TO FILE A BRIEF OPPOSING
SUMMARY DISPOSITION AND FOR THE DIVISION OF ENFORCEMENT TO FILE A
REPLY

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 Respondent was served with the OIP and filed an answer.² After we denied Respondent’s recent stay motion,³ the parties conducted the prehearing conference and proposed briefing cross-motions for summary disposition pursuant to an agreed schedule. We directed the parties to file their respective motions for summary disposition by April 25, 2023, their respective oppositions by May 16, 2023, and any reply briefs by May 30, 2023.⁴

The Division of Enforcement filed its summary disposition motion. Respondent did not file a summary disposition motion, but now seeks a three-day extension of the deadline for her opposition to the Division’s summary disposition motion.⁵ Respondent, who is proceeding *pro se*, states that she requires three additional days to file her opposition because of the large number of record documents she has had to review without the assistance of counsel. It appears appropriate to grant Respondent’s request for good cause shown.⁶

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. 97040, 2023 WL 2351154 (Mar. 3, 2023).

⁴ *Anita Sgarro*, Exchange Act Release No. 97185, 2023 WL 2609349 (Mar. 22, 2023).

⁵ Although Respondent’s motion is titled “Motion for Stay,” we construe it as seeking an extension of time.

⁶ *See Pending Admin. Proceedings*, Exchange Act Release No. 88415, 2020 WL 1322001, at *1 (Mar. 18, 2020) (stating that “pending further order of the Commission, all reasonable

Accordingly, it is ORDERED that Respondent's opposition is due by May 24, 2023, and the Division's reply is due by June 7, 2023. Respondent's opposition brief should precisely specify the basis for that opposition, identify with particularity the material factual issues in dispute, and address relevant Commission precedent.⁷ Pursuant to Rule of Practice 180(c), a party's failure to file a required brief or comply with this order may result in the Commission's determination of the matter at issue against that party, entry of default, dismissal of the proceeding, or the prohibition of the introduction of evidence or the exclusion of testimony regarding the matter at issue.⁸ The parties' attention is directed to the e-filing requirements in the Rules of Practice.⁹

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

Vanessa A. Countryman
Secretary

requests for extensions of time will not be disfavored as stated in Rule 161" (citing 17 C.F.R. § 201.161(b)(1)).

⁷ See, e.g., *Peter Siris*, Exchange Act Release No. 71068, 2013 WL 6528874, at *11 & n.68 (Dec. 12, 2013) (discussing appropriateness of summary disposition in follow-on proceedings and providing citations), *pet. denied*, 773 F.3d 89 (D.C. Cir. 2014); *Conrad P. Seghers*, Advisers Act Release No. 2656, 2007 WL 2790633, at *4-6 (Sept. 26, 2007) (discussing unsuccessful attempt to oppose summary disposition), *pet. denied*, 548 F.3d 129 (D.C. Cir. 2008).

⁸ 17 C.F.R. § 201.180(c).

⁹ 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.