

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 97968 / July 24, 2023

Admin. Proc. File No. 3-21270

In the Matter of

JUSTIN W. KEENER

ORDER REGARDING STATUS REPORT

On January 10, 2023, the Securities and Exchange Commission issued an order instituting proceedings (“OIP”) against Justin W. Keener (“Respondent”) pursuant to Section 15(b) of the Securities Exchange Act of 1934.¹ On February 27, 2023, after Respondent filed a timely answer to the OIP, the parties filed a joint statement concerning a prehearing conference they conducted. The parties stated, among other things, that the Division “anticipated filing a motion for summary disposition in the relatively near future.” However, since the filing of that statement, neither party has made any filings in this proceeding. Also, it is unclear from the record whether the Division has made documents available to Respondent for inspection and copying in accordance with Rule of Practice 230,² which is a prerequisite for filing a summary disposition motion.³

Accordingly, IT IS ORDERED that the parties file a status report, either jointly or separately, by August 21, 2023, addressing whether and when either party plans to file a motion for summary disposition; whether the parties have proposed response times for opposition and reply briefs to any summary disposition motion; and whether the Division has made documents available to Respondent in accordance with Rule of Practice 230.

¹ *Justin W. Keener*, Exchange Act Release No. 96627, 2023 WL 155182 (Jan. 10, 2023).

² 17 C.F.R. § 201.230.

³ 17 C.F.R. § 201.250.

The parties' attention is directed to the e-filing requirements in the Rules of Practice.⁴

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

Vanessa A. Countryman
Secretary

⁴ See *Amendments to the Commission's Rules of Practice*, Exchange Act Release No. 90442, 2020 WL 7013370 (Nov. 17, 2020), 85 Fed. Reg. 86,464 (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.