

UNITED STATES OF AMERICA  
before the  
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934  
Release No. 98818 / October 30, 2023

Admin. Proc. File No. 3-21402

In the Matter of  
In the Matter of the Application of  
JASON LYNN DIPAOLA  
For Review of Disciplinary Action Taken by  
FINRA

ORDER GRANTING EXTENSION OF TIME

On May 1, 2023, Jason Lynn DiPaola filed an application for review of a FINRA disciplinary action. Pursuant to an order scheduling briefs, FINRA was directed to file an opposition brief by September 28, 2023, and DiPaola to file any reply to FINRA's opposition brief by October 12, 2023.<sup>1</sup> FINRA timely filed its opposition brief, but DiPaola has not filed a reply.

On October 23, 2023, DiPaola filed a request to extend the time to file his reply brief to November 16, 2023, stating that he did not receive FINRA's opposition brief until

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<sup>1</sup> *Jason Lynn DiPaola*, Exchange Act Release No. 97518, 2023 WL 3530176 (May 17, 2023) (order scheduling briefs); *Jason Lynn DiPaola*, Exchange Act Release No. 97919, 2023 WL 4561057 (July 17, 2023) (extension order); *Jason Lynn DiPaola*, Exchange Act Release No. 98274, 2023 WL 5669525 (Sept. 1, 2023) (extension order).

October 16, 2023.<sup>2</sup> Under the circumstances, it appears appropriate to grant the extension request for good cause shown.<sup>3</sup>

Accordingly, IT IS ORDERED that DiPaola file any reply brief by November 16, 2023.<sup>4</sup>

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<sup>2</sup> There appears to be some confusion about the document that Felix received from FINRA on October 16, 2023. That document is FINRA’s opposition to Felix’s motion to dismiss that Felix filed on October 10, 2023. It is not the same document as the brief FINRA filed on September 28, 2023, which it did in opposition to Felix’s underlying application for review. That latter document—FINRA’s opposition brief filed on September 28, 2023—is the brief as to which Felix is to file a reply pursuant to this extension order. That brief is available here: <https://www.sec.gov/files/litigation/apdocuments/3-21402-2023-09-28-brief.pdf>.

<sup>3</sup> See Rule of Practice 161, 17 C.F.R. § 201.161; see also *Pending Administrative Proceedings*, Exchange Act Release No. 88415, 2020 WL 1322001, at \*1 (Mar. 18, 2020) (stating that “pending further order of the Commission, all reasonable requests for extensions of time will not be disfavored as stated in Rule 161” (citing 17 C.F.R. § 201.161(b)(1))).

<sup>4</sup> As provided by Rule 450(a), no briefs in addition to those specified in this schedule may be filed without leave of the Commission. Attention is called to Rules of Practice 450(b) and (c), 17 C.F.R. §§ 201.450(b) and (c), as to content and length limitations, and Rules of Practice 150 – 153, 17 C.F.R. §§ 201.150 – 153, as to form and service.

The parties' attention is directed to the e-filing requirements in the Rules of Practice.<sup>5</sup> We also remind the parties that any document filed with the Commission must be served upon all participants in the proceeding and be accompanied by a certificate of service.<sup>6</sup>

For the Commission, by its Secretary, pursuant to delegated authority.<sup>7</sup>

Vanessa A. Countryman  
Secretary

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<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. And the amendments provide further requirements if a person cannot reasonably comply with the electronic filing requirements due to lack of access to electronic transmission devices. *Id.* at 86,478–79; *see also* Rules of Practice 150(c)(1), 152(a)(1), 17 C.F.R. §§ 201.150(c)(1), 201.152(a)(1) (addressing certification of inability to serve and file documents electronically).

<sup>6</sup> *See* Rule of Practice 150, 17 C.F.R. § 201.150 (generally requiring parties to serve each other with their filings); Rule of Practice 151(d), 17 C.F.R. § 201.151(d) (“Papers filed with the Commission . . . shall be accompanied by a certificate stating the name of the person or persons served, the date of service, the method of service, and the mailing address or email address to which service was made, if not made in person.”).

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