

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

INVESTMENT ADVISERS ACT OF 1940
Release No. 6340 / July 6, 2023

Admin. Proc. File No. 3-21202

In the Matter of

JASON SCHWARZ

ORDER REGARDING PREHEARING CONFERENCE

The Securities and Exchange Commission issued an Order Instituting Proceedings (“OIP”) on October 6, 2022, pursuant to Section 203(f) of the Investment Advisers Act of 1940, against Jason Schwarz (“Respondent”).¹ The OIP directed the parties to conduct a prehearing conference within 14 days of service of Respondent’s answer to the OIP and, following the conference, to file a statement with the Office of the Secretary advising the Commission of any agreements reached at said conference.² If a prehearing conference was not held, the parties were ordered to file a statement advising the Commission of that fact and of the efforts made to meet and confer.³ Respondent filed an answer⁴ with the Commission on January 24, 2023.⁵ The parties have not filed any statement regarding a prehearing conference.

Accordingly, IT IS ORDERED that by July 20, 2023, the parties shall file a statement with the Office of the Secretary advising the Commission of any agreements reached at the prehearing conference specified by the OIP. If a prehearing conference has not been held, both parties shall file by that date a statement, jointly or separately, advising the Commission of that fact and of the efforts made to meet and confer. Pursuant to Rule of Practice 180(c), a party’s

¹ *Jason Schwarz*, Exchange Act Release No. 6160, 2022 WL 6126044 (October 6, 2022).

² *Id.* at *2.

³ *Id.*

⁴ Although styled by him as a reply, we construe Schwarz’s filing as an “answer” to the OIP.

⁵ Respondent, who was then incarcerated, previously requested and obtained an extension of the deadline for filing his answer. *Jason Schwarz*, Exchange Act Release No. 6187, 2022 WL 17080801 (November 18, 2022).

failure to comply with this order may result in the Commission's determination of the matter at issue against that party, entry of a default, dismissal of the proceeding, or the prohibition of the introduction of evidence or the exclusion of testimony regarding the matter at issue.⁶

The parties' attention is directed to the e-filing requirements in the Rules of Practice.⁷

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

Vanessa A. Countryman
Secretary

⁶ 17 C.F.R. § 201.180(c).

⁷ 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, 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 new redaction and omission of sensitive personal information requirement. *Amendments to the Commission's Rules of Practice*, 85 Fed. Reg. at 86,465–81.