

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

INVESTMENT ADVISERS ACT OF 1940
Release No. 6505 / December 18, 2023

Admin. Proc. File No. 3-21202

In the Matter of

JASON SCHWARZ

ORDER REGARDING STATUS REPORTS

On October 6, 2022, the Securities and Exchange Commission issued an Order Instituting Proceedings (“OIP”) pursuant to Section 203(f) of the Investment Advisers Act of 1940, against Jason Schwarz (“Respondent”).¹ Respondent filed an answer to the OIP and, on July 19, 2023, the Division of Enforcement filed a consent motion in which it stated that the parties had conferred regarding the proceeding and Respondent had indicated a willingness to settle. In light of this discussion, the Division requested an extension of time of 45 days to update the Commission on the progress of settlement negotiations or to file a statement regarding the parties’ prehearing conference. The Commission granted this motion.² With Respondent’s consent, the Division subsequently filed status reports on October 19, 2023, and December 8, 2023, updating the Commission on the progress of those negotiations. In its latest status report the Division requested that the Commission extend the deadline by which to file a statement regarding a prehearing conference or a further status report until January 26, 2024.

Accordingly, IT IS ORDERED that the parties file a status report, either jointly or separately, by January 26, 2024, and every 28 days thereafter, addressing whether additional time is needed regarding settlement efforts or whether the Commission should direct further action in this proceeding, such as by setting a schedule for the filing of motions for summary disposition. In the event it does not appear a settlement agreement will be reached, the parties should hold a subsequent prehearing conference within 14 days and, following the conference, promptly file a statement advising the Commission of any agreement reached as well as the parties’ positions on the subjects discussed.

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

² *Jason Schwarz*, Exchange Act Release No. 6356, 2023 WL 4764052 (Jul. 26, 2023).

The parties' attention is directed to the e-filing requirements in the Rules of Practice.³ 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.⁴

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

Vanessa A. Countryman
Secretary

³ *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 also 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.

⁴ 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.”).