

UNITED STATES OF AMERICA  
before the  
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934  
Release No. 99434 / January 26, 2024

Admin. Proc. File No. 3-21790

In the Matter of  
ERIC CHRISTOPHER CANNON

ORDER REQUESTING ADDITIONAL BRIEFING

On October 31, 2023, the Securities and Exchange Commission issued an order instituting proceedings (“OIP”) against Eric Christopher Cannon (“Respondent”) pursuant to Section 15(b) of the Securities Exchange Act of 1934.<sup>1</sup> On January 17, 2024, Respondent filed an answer, and, on January 19, 2024, he filed a motion for an order dismissing or staying the proceedings. In both his answer and motion, Respondent asserts that the OIP contains various errors. Specifically, Respondent contends that the OIP misstates or mischaracterizes the complaint’s allegations in the underlying federal civil litigation<sup>2</sup> and does not acknowledge that the operative judgment in that action is an amended judgment entered against Respondent on December 13, 2023. As a result, we request additional briefing from the parties regarding whether the OIP contains any errors and, if so, whether the OIP should be amended.<sup>3</sup>

Accordingly, it is ORDERED that the parties submit briefs addressing the forgoing issues by February 9, 2024. Responses to the initial briefs may be filed by February 23, 2024. If the Division submits an unopposed or joint motion to amend the OIP, along with an exhibit attaching the proposed amended OIP, by February 9, 2024, the parties need not submit any briefs.

Pursuant to Rule of Practice 180(c), a party’s failure to comply with this order may result in the Commission’s entry of a default, dismissal of the proceeding, determination of the matter

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<sup>1</sup> *Eric Christopher Cannon*, Exchange Act Release No. 98827, 2023 WL 7180201 (Oct. 31, 2023).

<sup>2</sup> *See SEC v. Pac. W. Cap. Grp., Inc.*, No. 2:15cv2563 (C.D. Cal.).

<sup>3</sup> *Cf. Gary Edward Haynes*, Advisers Act Release No. 6080, 2022 WL 3210653, at \*2 (Aug. 8, 2022) (ordering the Division, in light of an acknowledged error in the OIP, to either file a motion to amend the OIP or to explain why an amended OIP was not needed).

at issue against that party, or the prohibition of the introduction of evidence or the exclusion of testimony regarding the matter at issue.<sup>4</sup>

The parties' attention is directed to the e-filing requirements in the Commission's Rules of Practice.<sup>5</sup>

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

Vanessa A. Countryman  
Secretary

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<sup>4</sup> 17 C.F.R. § 201.180(c).

<sup>5</sup> 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 redaction and omission of sensitive personal information requirement. *Amendments to the Commission's Rules of Practice*, 85 Fed. Reg. at 86,465–81.