

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 75673 / August 12, 2015

ADMINISTRATIVE PROCEEDING
File No. 3-16743

In the Matter of	:	
	:	
DAVID J. STERN,	:	ORDER OF SUSPENSION PURSUANT
	:	TO RULE 102(e)(2) OF THE
Respondent.	:	COMMISSION' S RULES OF PRACTICE
	:	

I.

The Securities and Exchange Commission deems it appropriate to issue an order of forthwith suspension of David J. Stern pursuant to Rule 102(e)(2) of the Commission's Rules of Practice [17 C.F.R. § 201.102(e)(2)].¹

II.

The Commission finds that:

1. Stern was admitted to practice law in the state of Florida in 1991.
2. On January 7, 2014, the Supreme Court of Florida disbarred Stern for engaging in a pattern of misconduct, improper staff training, missed hearings and abandonment of case files while serving as head of the Law Offices of David J. Stern, P.A. The Court Referee noted that Stern's misconduct reflected a "low level of competence and ethics" and involved (among other things) "false notarizations, witnessing, and backdating" and "fraudulent attorneys' fees affidavits." Report of Referee, *The Florida Bar v. David James Stern*, Case No. SC13-643 (S.Ct.Fla. Oct. 28, 2013) at pp. 19, 31.

¹ Rule 102(e)(2) provides in pertinent part: Any attorney who has been suspended or disbarred by a court of the United States or of any State; . . . or any person who has been convicted of a felony or a misdemeanor involving moral turpitude shall be forthwith suspended from appearing or practicing before the Commission." See 17 C.F.R. 201.102(e)(2).

3. During the time of the misconduct for which Stern was disbarred, he was the CEO of a public company and made filings with the Commission in that capacity.

III.

In view of the foregoing, the Commission finds that Stern is an attorney who has been disbarred by a State court within the meaning of Rule 102(e)(2) of the Commission's Rules of Practice.

Accordingly, it is ORDERED, that David J. Stern is forthwith suspended from appearing or practicing before the Commission pursuant to Rule 102(e)(2) of the Commission's Rules of Practice.

By the Commission.

Brent J. Fields
Secretary