

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 85574 / April 9, 2019

ADMINISTRATIVE PROCEEDING
File No. 3-13595

In the Matter of

ALBERT J. RASCH, JR., ESQ.

**ORDER PERMITTING ATTORNEY TO
RESUME APPEARING AND PRACTICING
UNDER RULE 102(e)(5) OF THE
COMMISSION'S RULES OF PRACTICE**

I.

On August 21, 2009, the Commission issued an Order Instituting Administrative Proceedings Pursuant to Rule 102(e) of the Commission's Rules of Practice, Making Findings and Imposing Remedial Sanctions against Albert J. Rasch, Jr., Esq. ("Rasch") that, among other things, suspended Rasch from appearing or practicing before the Commission as an attorney for five years with a right to apply for reinstatement at the conclusion of that term ("Order"). In the Matter of Albert J. Rasch, Jr., Esq., Admin. Proc. 3-13595 (Aug. 21, 2009). As part of a separate consent judgment to resolve a related civil injunctive action brought by the Commission, Rasch was ordered by the United States District Court for the Northern District of Georgia to pay disgorgement of \$1,080, prejudgment interest of \$92.22, and a civil penalty of \$20,000.

II.

By letter dated April 22, 2015, Rasch filed with the Office of General Counsel an application for reinstatement of the privilege to appear and practice before the Commission as an attorney. As required by the provisions of the Order governing reinstatement, Rasch's application included an affidavit in which he states under penalty of perjury that he: has complied with the Order; is not subject to any suspension or disbarment as an attorney by a court of the United States or of any state, territory, district, commonwealth or possession; and, has not been convicted of a felony or misdemeanor involving moral turpitude. Rasch also represented in his affidavit, and the staff has confirmed, that he has paid the disgorgement, prejudgment interest, and civil penalty imposed in the related civil injunctive action filed against him. Since entry of the Order, no information has come to the attention of the Commission relating to Rasch's character, integrity, professional conduct, or qualifications to practice before the Commission that would be a basis for denying his application or for an adverse action against him pursuant to Rule 102(e) of the Commission's Rules of Practice.

III.

Based on the foregoing, the Commission has determined that it is appropriate to reinstate Rasch to appear or practice before the Commission.

Accordingly, it is **HEREBY ORDERED** that Albert J. Rasch, Jr., is reinstated to practice as an attorney before the Commission.

By the Commission.

Vanessa A. Countryman
Acting Secretary