

**UNITED STATES OF AMERICA**  
**Before the**  
**SECURITIES AND EXCHANGE COMMISSION**

**SECURITIES EXCHANGE ACT OF 1934**  
**Release No. 88119 / February 5, 2020**

**ADMINISTRATIVE PROCEEDING**  
**File No. 3-19690**

**In the Matter of**  
  
**GORDON CAPLAN, Esq.**  
  
**Respondent.**

**ORDER OF FORTHWITH**  
**SUSPENSION PURSUANT TO RULE**  
**102(e)(2) OF THE COMMISSION'S**  
**RULES OF PRACTICE**

**I.**

The Securities and Exchange Commission (“Commission”) deems it appropriate to issue an order of forthwith suspension of Gordon Caplan pursuant to Rule 102(e)(2) of the Commission’s Rules of Practice [17 C.F.R.200.102(e)(2)].<sup>1</sup>

**II.**

The Commission finds that:

1. Gordon Caplan (“Caplan”) is an attorney who was formerly licensed to practice law in the state of New York. His law practice included appearing and practicing before the Commission and representing major public companies on matters arising under the federal securities laws. In March 2019, Caplan was arrested and indicted for conspiracy

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<sup>1</sup> Rule 102(e)(2) provides in pertinent part that “[a]ny attorney who has been suspended or disbarred by a court of the United States or 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.”

to commit mail fraud and honest services mail fraud in connection with his participation in the 2019 nationwide college admissions scandal. Both offenses are felonies.<sup>2</sup>

2. On May 21, 2019, Caplan pleaded guilty to one count of conspiracy to commit mail fraud and honest services mail fraud in connection with the 2019 nationwide college admissions scandal. Under the terms of Caplan's plea deal, prosecutors agreed to recommend a prison sentence of eight to 14 months and a \$40,000 fine. He was sentenced October 3, 2019 to one month in prison, one year of supervised release, and 250 hours of community service, and was ordered to pay a fine of \$50,000. *See USA v. Abbott et al – Gordon Caplan*, 1:2019-cr-10117.

3. On November 7, 2019, Caplan was suspended from the practice of law, pending disbarment, by the Supreme Court, Appellate Division, of New York.

### III.

In view of the foregoing, the Commission finds that Caplan has been convicted of a felony and has been suspended from the practice of law by the Supreme Court, Appellate Division, of New York within the meaning of Rule 102(e)(2) of the Commission's Rules of Practice.

Accordingly, it is ORDERED that Gordon Caplan 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.

Vanessa A. Countryman  
Secretary

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<sup>2</sup> *See* Title 18, U.S.C. Section 1349.