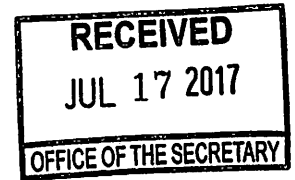


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ADMINISTRATIVE PROCEEDING
FILE NO. 3-17699

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION



In the Matter of

**SHERVIN NEMAN and NEMAN
FINANCIAL, INC.**

Respondents.

The Honorable Jason S. Patil

**DIVISION OF ENFORCEMENT'S REPLY IN SUPPORT OF MOTION
FOR SUMMARY DISPOSITION AGAINST
RESPONDENTS SHERVIN NEMAN AND NEMAN FINANCIAL, INC.**

July 13, 2017

Division of Enforcement
Securities and Exchange Commission
Amy Jane Longo
Los Angeles Regional Office
444 South Flower Street, Suite 900
Los Angeles, CA 90071
Telephone: (323) 965-3998
Facsimile: (213) 443-1904

On May 19, 2017, the Division of Enforcement (“Division”) moved, pursuant to Rule 250(b) of the Securities and Exchange Commission’s (“SEC”) Rules of Practice, for summary disposition of the claims in the Order Instituting Proceedings Pursuant to Sections 203(e) and (f) of the Investment Advisers Act of 1940 and Notice of Hearing (the “OIP”), against respondents Shervin Neman (“Neman”) and the registered investment adviser for which he is the sole principal, Neman Financial, Inc. (“Neman Financial”) (collectively, “respondents”). The motion requests that Neman be permanently barred from association with any investment adviser, broker, dealer, municipal securities dealer, municipal adviser, transfer agent, and nationally recognized statistical rating organization, under Section 203(f) of the Investment Advisers Act of 1940 (“Advisers Act”), 15 U.S.C. § 80b-3(f), and that Neman Financial’s registration with the Commission be revoked, under Advisers Act Section 203(e), 15 U.S.C. § 80b-3(f). The Division served its motion and accompanying papers on respondents. *See* Supplemental Declaration of Amy Jane Longo in support of Division of Enforcement’s Motion for Summary Disposition (“Longo Supp. Decl.”), *filed concurrently herewith*, ¶ 2.

Pursuant to the Order Following Prehearing Conference issued on April 19, 2017, respondents were required to file any opposition to the Division’s motion by July 3, 2017. *See* April 19, 2017 Order at 1. This deadline was reiterated in an order dated May 19, 2017, which stated that, “Respondents are reminded that the Division will file its motion for summary disposition today. Respondents’ opposition to the Division’s motion is due by July 3, 2017.” *See* May 19, 2017 Order at 3. Respondents did not timely file or serve any opposition papers, and as of this filing, the Division has not been served with any opposition papers. *See* Longo Supp. Decl. ¶¶ 3-4.

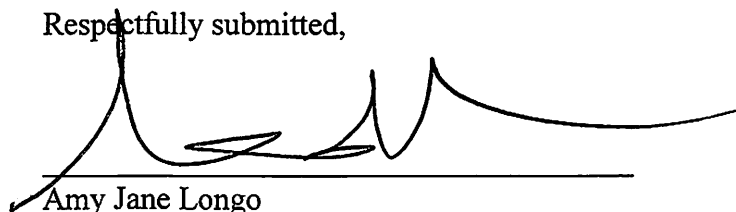
Having filed no opposition papers, respondents have failed to raise any genuine issues of

material fact in response to the Division's motion. *See, e.g., In re China-Biotics, Inc.*, Exchange Act Release No. 70800, 2013 SEC LEXIS 3451, at *63 (Nov. 4, 2013) (noting respondent "was given the opportunity to produce affidavits or other specific evidence of such a genuine issue but affirmatively declined to do so...Having chosen not to offer evidence in opposing the Division's motion for summary disposition, [respondent] cannot use this appeal to avoid the consequences of that choice"); *In re Derrick N. McKinney & Rick R. Malizia*, Init. Dec. Rel. No. 278, 2005 SEC LEXIS 661, at **4-5 (Mar. 22, 2005) ("By analogy to Rule 56 of the Federal Rules of Civil Procedure, a factual dispute between the parties will not defeat a motion for summary disposition unless it is both genuine and material...Once the moving party has carried its burden, 'its opponent must do more than simply show that there is some metaphysical doubt as to the material facts.'...The opposing party must set forth specific facts showing a genuine issue for a hearing and may not rest upon the mere allegations or denials of its pleadings."(internal citations omitted)).

For the reasons set forth in its motion, the Division respectfully requests that its motion for summary disposition be granted, a permanent collateral bar be imposed against Neman, and the registration of Neman Financial as an investment adviser be revoked.

Dated: July 13, 2017

Respectfully submitted,



Amy Jane Longo
Regional Trial Counsel
Securities and Exchange Commission
444 S. Flower Street, Suite 900
Los Angeles, California 90071
(323) 965-3835 (telephone)
(213) 443-1904 (facsimile)
longoa@sec.gov
Counsel for the Division of Enforcement

Certificate of Service

I certify that on July 13, 2017, I caused the foregoing to be served on the following persons by the method of delivery indicated below:

By Facsimile and UPS (Original & three copies):

Brent J. Fields, Secretary
Securities and Exchange Commission
100 F Street, N.E., Mail Stop 1090
Washington, DC 20549
Fax: (703) 813-9793

By UPS and email:

Honorable Jason S. Patil
Administrative Law Judge
Securities and Exchange Commission
100 F Street, N.E., Mail Stop 2585
Washington, D.C. 20549-2585
Email: alj@sec.gov

and by United States Mail:

Shervin Neman (Register No. [REDACTED])
[REDACTED]
P.O. Box [REDACTED]
Taft, CA [REDACTED]

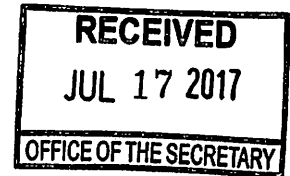


Amy Jane Longo

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ADMINISTRATIVE PROCEEDING
FILE NO. 3-17699

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



In the Matter of

**SHERVIN NEMAN and NEMAN
FINANCIAL, INC.**

Respondents.

The Honorable Jason S. Patil

**SUPPLEMENTAL DECLARATION OF AMY JANE LONGO IN SUPPORT OF
DIVISION OF ENFORCEMENT'S MOTION FOR SUMMARY DISPOSITION
AGAINST RESPONDENTS SHERMAN NEVIN AND NEMAN FINANCIAL, INC.**

July 13, 2017

Division of Enforcement
Securities and Exchange Commission
Amy Jane Longo
Los Angeles Regional Office
444 South Flower Street, Suite 900
Los Angeles, CA 90071
Telephone: (323) 965-3998
Facsimile: (213) 443-1904

I, Amy Jane Longo, declare pursuant to 28 U.S.C. § 1746 as follows:

1. I am an attorney at law admitted to practice law in the State of California and in the Central District of California. I am employed as Regional Trial Counsel for the Division of Enforcement (“Division”) at the Los Angeles Regional Office of the U.S. Securities and Exchange Commission (“SEC”), 444 S. Flower Street, Suite 900, Los Angeles, California 90071, Telephone: (323) 965-3998, Extension 53835. I have personal knowledge of each of the facts set forth in this Declaration and, if called as a witness, could and would competently testify thereto.

2. On May 19, 2017, the Division served its motion for summary disposition and supporting papers by U.S. Mail to respondents, addressed:

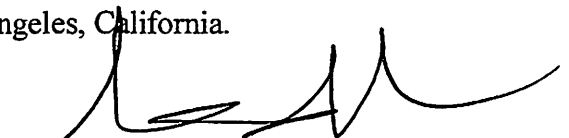
Shervin Neman (Register No. [REDACTED])
SPECIAL MAIL -- OPEN ONLY IN THE PRESENCE
OF THE INMATE
[REDACTED]
P.O. Box [REDACTED]
Taft, CA [REDACTED]

3. The Division has not received any opposition papers from respondents.

4. On July 6, 2017 and again on July 12, 2017, the Division inquired of the SEC’s Office of Administrative Law Judges (“OALJ”) whether it had received any opposition papers from respondents, and was advised that the OALJ had not received any opposition papers from respondents.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 13, 2017, in Los Angeles, California.



Amy Jane Longo

Certificate of Service

I certify that on July 13, 2017, I caused the foregoing to be served on the following persons by the method of delivery indicated below:

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Brent J. Fields, Secretary
Securities and Exchange Commission
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Administrative Law Judge
Securities and Exchange Commission
100 F Street, N.E., Mail Stop 2585
Washington, D.C. 20549-2585

and by United States Mail:

Shervin Neman (Register No. [REDACTED])
[REDACTED]
P.O. Box [REDACTED]
Taft, CA [REDACTED]



Amy Jane Longo