

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION
June 8, 2016

SECURITIES EXCHANGE ACT OF 1934
Release No. 78019 / June 8, 2016

Admin. Proc. File No. 3-17226

In the Matter of the Application of

ERIC DAVID WANGER

ORDER DIRECTING
THE FILING OF BRIEFS

Eric David Wanger has applied for Commission "review and reduction or cancellation of a FINRA sanction posted on FINRA's BrokerCheck website." On May 31, 2016, FINRA filed a copy of the index to the record in the matter, pursuant to Commission Rule of Practice 420(d).¹

The posting at issue concerns BrokerCheck's description of a Commission order that "barred [Wanger] from association with any broker, dealer, investment adviser, municipal securities dealer, municipal advisor, transfer agent, or nationally recognized statistical rating organization . . . with the right to apply for reentry after one (1) year . . ." ² The BrokerCheck website states that Wanger has been "permanently barred . . . from acting as a broker and investment adviser, or otherwise associating with firms that sell securities or provide investment advice to the public."³ Wanger claims that the BrokerCheck posting "alter[s] the SEC Bar Order and re-interpret[s] the words . . . that now perforce has permanently blocked Respondent[] of his right to seek employment . . ."

At this time, the Commission requests the views of the parties as to the preliminary matter of whether the Commission has jurisdiction to review Wanger's application pursuant to Section 19 of the Securities Exchange Act of 1934.⁴

¹ 17 C.F.R. § 201.420(d).

² *Eric David Wanger*, Securities Act Release No. 9331, 2012 WL 2524953, at *7 (July 2, 2012).

³ See BrokerCheck by FINRA, search results for Eric D. Wanger, <http://brokercheck.finra.org/Individual/Summary/4727229> (last visited June 8, 2016).

⁴ 15 U.S.C. § 78s.

Accordingly, it is ORDERED that the parties file briefs, not to exceed 10 pages, addressing the issue set forth above by June 22, 2016, with responsive briefs, not to exceed 7 pages, due by June 29, 2016.

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

Brent J. Fields
Secretary