

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

INVESTMENT ADVISERS ACT OF 1940
Release No. 5293 / July 8, 2019

Admin. Proc. File No. 3-17023

In the Matter of

BART C. GUTEKUNST

**ORDER VACATING BROKER, DEALER, MUNICIPAL SECURITIES DEALER, AND
TRANSFER AGENT BARS**

Bart C. Gutekunst seeks to vacate an order, dated December 22, 2015 (the “Order”), to the extent that it bars him from association with a broker, dealer, municipal securities dealer, or transfer agent.¹ The bars at issue were imposed based solely on conduct occurring prior to July 22, 2010, the effective date of the Dodd-Frank Wall Street Reform and Consumer Protection Act.² Accordingly, in our discretion, we vacate the Order to the extent it prohibits Bart C. Gutekunst from associating with a broker, dealer, municipal securities dealer, or transfer agent, but otherwise leave the Order unmodified.

By the Commission.

Vanessa A. Countryman
Secretary

¹ See *Bart C. Gutekunst*, Advisers Act Release No. 4301, 2015 WL 9311577 (Dec. 22, 2015).

² See *Bartko v. SEC*, 845 F.3d 1217, 1225 (D.C. Cir. 2017); Commission Statement Regarding Decision in *Bartko v. SEC* (Feb. 23, 2017), available at <https://www.sec.gov/news/statement/commission-statement-regarding-bartko-v-sec.html>.