

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

**SECURITIES EXCHANGE ACT OF 1934**  
**Release No. 97668 / June 8, 2023**

**ADMINISTRATIVE PROCEEDING**  
**File No. 3-20060**

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<b>In the Matter of</b>	:	
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<b>Bayerische Motoren Werke</b>	:	<b>ORDER EXTENDING TIME TO</b>
<b>Aktiengesellschaft, BMW of North</b>	:	<b>ENTER ORDER APPROVING OR</b>
<b>America, LLC and BMW US</b>	:	<b>DISAPPROVING PLAN OF</b>
<b>Capital, LLC,</b>	:	<b>DISTRIBUTION</b>
	:	
<b>Respondents.</b>	:	
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On April 21, 2023, pursuant to Rule 1103 of the United States Securities and Exchange Commission’s Rules on Fair Fund and Disgorgement Plans (the “Commission’s Rules”), 17 C.F.R. § 201.1103, the Commission published a Notice of Proposed Plan of Distribution and Opportunity to Comment (“Notice”)<sup>1</sup> for the distribution of monies placed into a Fair Fund in the above-captioned matters. The Notice invited public comment on the proposed plan of distribution (“Plan”) through May 22, 2023, and the Commission received one public comment that raised various issues (the “Comment”).

Rule 1104 of the Commission’s Rules, 17 C.F.R. § 201.1104, provides in relevant part, “[t]he order approving or disapproving the plan should be entered within 30 days after the end of the final period allowed for comments on the proposed plan unless the Commission or the hearing officer, by written order, allows a longer period for good cause shown.”

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<sup>1</sup> Exchange Act Rel. No. 97345 (Apr. 21, 2023).

Thirty days from the end of the final period for comments on the Plan will lapse on June 21, 2023. The Division states additional time is needed to present its recommendation to the Commission regarding the Comment and the Plan, and therefore, good cause has been shown to enter an order extending time to approve or disapprove the Plan until October 31, 2023.

Accordingly, IT IS ORDERED that pursuant to Rule 1104 of the Commission's Rules,<sup>2</sup> for good cause shown, the time for entering an order approving or disapproving the Plan is extended to October 31, 2023.

For the Commission, by its Secretary, pursuant to delegated authority.<sup>3</sup>

Vanessa A. Countryman  
Secretary

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<sup>2</sup> 17 C.F.R. § 201.1104.

<sup>3</sup> 17 C.F.R. § 200.30-4(a)(21)(i).