

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

ADMINISTRATIVE PROCEEDING
File No. 3-22214

In the Matter of

EVAN H. KATZ

Respondent.

**Respondent Evan H. Katz’s Notice of
Supplemental Authority in Further
Support of His Pending Application to
Vacate Order Instituting Proceedings**

Respondent Evan H. Katz (“Mr. Katz”) respectfully submits this brief Notice of Supplemental Authority in further support of his pending application to vacate the subject Order Instituting Proceedings (the “Application” and the “Order”).

After the completion of the briefing on Mr. Katz’s pending Application, the Commission very recently issued multiple new official policy statements that bear directly and materially on the issues that are presented by Mr. Katz’s pending Application to vacate the Order. Specifically, on April 7, 2026, the Commission issued Press Release No. 2026-34, entitled “SEC Announces Enforcement Results for Fiscal Year 2025” (copy attached, and also available at <https://www.sec.gov/newsroom/press-releases/2026-34>).

In this press release, the Commission states, among other things, that in prior years Commission resources had been “misapplied” to “pursue media headlines” and to engage in the “aggressive pursuit of novel legal theories”; that the current Commission has resolved “prior cases that were not sufficiently grounded in the federal securities laws”; that

“Over the past year, the Commission has put a stop to regulation by enforcement”; and that the SEC enforcement program is being “recentered” with a “course correction” on “the Commission’s core mission” of prioritizing “meaningful investor protection”, with renewed focus on “fraud” and “individual wrongdoers”.

Mr. Katz respectfully submits that the newly issued Commission press release, and the Commission’s multiple statements, policies and priorities set forth therein, bear directly and materially on, and support, his pending Application to vacate the Order. Because, as set forth in his moving papers and reply papers, and as also is expressly acknowledged in the Order itself, Mr. Katz (i) implemented numerous safeguards and industry best practices in connection with the establishment, operation and management of the subject fund, (ii) was not charged with any knowing or intentional fraud, nor any other willful misconduct, (iii) was not the architect of the underlying misconduct, and likewise had no knowledge of it, and (iv) undertook substantial and effective remedial efforts to protect investors, preserve fund assets, and facilitate the forthcoming return of fund assets to investors.

Moreover, whether or not the Commission’s press release and the policies and priorities set forth therein alter the legal standard governing the pending Application, they clearly bear directly and materially on the Commission’s public-interest and other analysis. This is because the press release and its policy statements all reflect the Commission’s position and understanding of what constitutes sound enforcement policy, meaningful investor protection, and the appropriate focus of Commission resources.

Mr. Katz does not seek, by this filing, to reargue the full merits of the pending Application. Rather, he respectfully submits for consideration the newly issued Commission press release and official policy statements solely because they post-date the briefing on his Application, and directly and materially bear on the Commission's consideration of whether the Order and its continued enforcement serve the public interest and accord with the Commission's stated understanding of its enforcement mission.

Mr. Katz therefore respectfully requests that the Commission consider Press Release No. 2026-34, and the policy statements that are set forth therein, as supplemental authority in connection with, and in further support of, his pending Application to vacate the Order.

Dated: April 13, 2026
New York, New York

Respectfully submitted,



Evan H. Katz *Pro Se*



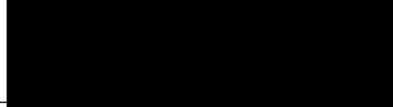
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Certificate of Service

I hereby certify that today, April 13, 2026, I caused a true and correct copy of the foregoing document (including the attached press release) to be served upon counsel for the Division of Enforcement, by electronic mail (e-mail), in accordance with the Commission's Rules of Practice, upon the following counsel:

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Evan H. Katz
