

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 105152 / April 6, 2026

Admin. Proc. File No. 3-22595

In the Matter of the Application of

JOSEPH GORDON NELSON

For Review of Action Taken by

FINRA

ORDER EXTENDING BRIEFING SCHEDULE

Joseph Gordon Nelson filed an application with the Commission for review of a FINRA decision barring him in a FINRA Rule 9552 expedited proceeding for his failure to comply with FINRA's request for on-the-record testimony pursuant to FINRA Rule 8210. On March 24, 2026, the Commission ordered that a brief in support of the application for review be filed by April 23, 2026, a brief in opposition be filed by May 25, 2026, and any reply brief be filed by June 8, 2026.

On March 26, 2026, FINRA filed a "Motion to Dismiss the Application for Review and to Stay the Briefing Schedule." In its motion, FINRA states that in a letter dated March 20, 2026, it notified Nelson that it voluntarily vacated the bar, as well as the pre-suspension and suspension notices. As a result, FINRA argues that the Commission should dismiss the appeal because the Commission "lacks jurisdiction under Section 19(d) of the Exchange Act because Nelson is no longer subject to a final disciplinary sanction" or, in the alternative, because the appeal is moot.

We construe FINRA's request for a stay to be one for an extension of the briefing schedule pursuant to Commission Rule of Practice 161.¹ Under Commission Rule of Practice 161(b),² the factors the Commission must consider in determining whether to grant an extension of time as relevant here are: (i) the length of the proceeding to date, (ii) the number of

¹ 17 C.F.R. § 201.161. Rule 161, which FINRA cited in support of its request to "stay the briefing schedule," addresses extensions of time, postponements, and adjournments.

² 17 C.F.R. § 201.161(b).

postponements, adjournments, or extensions already granted, (iii) the stage of the proceedings at the time of the request, and (iv) any other such matters as justice may require.

This proceeding is less than four months old. FINRA requested an extension of the briefing schedule shortly after FINRA vacated the underlying bar. No prior extensions have occurred to date. Extending the briefing schedule in this matter would also promote administrative efficiency, since briefing would not be necessary if the Commission were to grant FINRA's motion to dismiss and, conversely, the proceeding would not be unduly delayed if the Commission were to deny FINRA's motion.

Accordingly, IT IS ORDERED that FINRA's request to extend the briefing schedule in this proceeding until the Commission rules on FINRA's motion to dismiss is GRANTED.

For the Commission, by its Secretary, pursuant to delegated authority.³

Vanessa A. Countryman
Secretary

³ 17 C.F.R. § 200.30-7(a)(4).