

UNITED STATES OF AMERICA
BEFORE THE SECURITIES AND EXCHANGE COMMISSION
ADMINISTRATIVE PROCEEDING FILE NO. 3-20816

In the Matter of ANITA SGARRO

Respondent,

ANSWER TO SUMMARY DISPOSITION

Sgarro files this pro se response to summary disposition, in the interest of moving forward in best efforts to sign the Settlement Offer dated 4/8/22. Sgarro does not have any dispute being disbarred, since her Judgement in Counsel's Exhibits clearly states that she cannot and will not sell securities again in the future. Sgarro agrees that she was not a registered broker with Sanomedics, however that should have been a civil matter handled in the beginning of this case. She never had any knowledge of any of the fraud and did not work in the Miami office and left the company in June of 2011, before the Miami Office stated they knew about the fraud.

Although Sgarro was told from legal aid today, that new evidence tolls the filing of 2255 for up to a year from its discovery, the latest of which she discovered a week ago, Sgarro remains committed to filing it as soon as she confirms witnesses and documentation that just arrived today.

Meanwhile, there are many facts in the indictment that trial established were not attributable to Sgarro and especially with her newly discovered evidence. Sgarro denies most of what has been stated in the AP Settlement offer as follows:

1. Sgarro's conduct was confirmed by the 11th Circuit Court of Appeals that she withdrew from the Conspiracy in early 2011, to be exact June of 2011. She also started in June of 2009. So **June of 2009- June of 2011. She consents to Counsel for SEC to resolve that mistake on her Judgement as they suggested in recent email.** Sgarro resides in **Lake Worth, FL.**

2. Respondent was sentenced to a prison term of **116 months, and released to time served on Dec. 1, 2020 after serving 34 months, by filing a Pro Se Motion for Compassionate Reduction in Sentence Release.**
3. Sgarro does not agree with this paragraph and has to deny most of it in lieu of her new evidence, so perhaps we can cover all bases this way:
The counts.... alleged **and Sgarro disputes and/or does not agree**, among other things, that Respondent....
4. **From June 2009- June 2011, Sgarro agrees that she was as an unregistered broker with Sanomedics.**
However she denies that she 'acted' as an unregistered broker and denies that she 'crafted' a sales pitch and trained sales agents about how to pitch Sanomedics stock.... Additionally, Respondent allegedly 'directly 'solicited' and denies "wittingly making" false and fraudulent statements ... and she disagrees that she falsely stated that she was an employee of Sanomedics....and disagrees and disputes the rest of the paragraph through the last line where Sgarro disputes the amount of \$1,070,000, in 'allegedly undisclosed' commissions for the sale of Sanomedics stock.

The remaining part of the document is unclear to Sgarro and she would need counsel to advise her, so hopefully the District Court will appoint one with her 2255 Motion.

Sgarro emphasizes again that signing this offer of settlement to be barred because she was an unregistered broker is valid and the rest is still being disputed with new evidence discovered recently. The urgency for this Commission to have a summary disposition when all of the facts in dispute are still not resolved in the District Court who holds jurisdiction over this criminal matter is not in the interest of justice for Sgarro.


Sgarro vehemently denies that she is a threat to the public and does not agree with the urgency Counsel for the Enforcement of this Sanction needs to settle this matter especially while Sgarro is still "in custody" and with a stellar track record. This Commission certainly recognizes the importance of having the truth. It is fortunate for that this Miami SEC Counsel did investigate the Securities Fraud by the (3) owners of Sanomedics, at the beginning of this case, the Miami Sanomedics sales team and their conduct, which ended up finding the fraud, however, Sgarro was not afforded the same while working with Sanomedics in California, where she was registered in business with the SEC in Los Angeles as a

principle. Sgarro was also registered with Office of Business Oversight for the State of California who held her in good standing before, during and after Sanomedics. Perhaps rushing for me to be wrongfully punished back then without proper investigation into my conduct and track record would have saved the government so much time and money from going to trial for Sgarro.

Sgarro currently has been no risk to the public and in fact, has a stellar track record with her Probation Office and lowest risk for recidivism. She has no criminal record, no history of violence, and paying her debt to her victim investors with restitution payments monthly and on time. Sgarro remains remorseful that she earned a commission when her victim investors lost all of their money. Sgarro is still working on legal aid because she does need an attorney to represent her now going forward with all the latest new evidence, perhaps the district court will appoint one, since this case is very complicated. Sgarro is respectfully requesting that this Commission revise the settlement offer once the truth is revealed.

Respectfully submitted this 19th day of May, 2023.

Anita Sgarro(digitally signed 5/19/23 at 4:30 pm)

Anita Sgarro


CERTIFICATE OF SERVICE

This is to certify that I have served a true and correct copy of the following:

ANSWER TO SUMMARY DISPOSITION

Upon the following email address, by filing electronically with:

SECURITIES AND EXCHANGE COMMISSION

www.sec.gov/eFAP

On this 19th day of May, 2023

Anita Sgarro *(digitally signed on May 19, 2023 at 4:30 pm)*

By Anita Sgarro

A large black rectangular redaction box covering the signature area.

cc: moots@sec.gov