

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

**ADMINISTRATIVE PROCEEDING**  
**File No. 3-20816**

**In the Matter of**

**ANITA SGARRO,**

**Respondent.**

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**DIVISION OF ENFORCEMENT’S RESPONSE TO SUPPLEMENTAL BRIEF WITH  
REQUEST FOR EXTENSION OR STAY OF SUMMARY DISPOSITION**

Respondent Anita Sgarro’s (“Sgarro’s”) “supplemental brief” is nothing more than an improper sur-reply aimed at dragging out this proceeding. She does not provide any evidence to refute a material fact. She merely denies knowledge of Sanomedic’s fraudulent scheme despite the jury’s determination otherwise and alludes to “new evidence” that she conveniently withholds. As another tactic, she attempts to wash her hands by arguing that her misconduct was not as egregious as the fraud’s “mastermind” and lasted two years instead of six. Neither alleged fact, even if true, would defeat summary disposition. If anything, this line of argument only highlights the propriety of sanctioning Sgarro given her refusal to take responsibility for her actions.

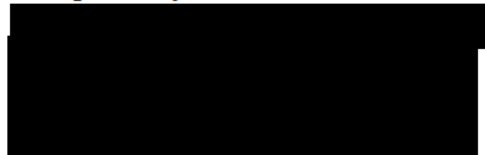
Sgarro’s incessant requests to stay this matter – this time until her “2255 motion” is filed – should be denied. There is no telling when Sgarro will file this motion or the prospect of its success. Indeed, she claimed almost five months ago that she was “about to file” it. *Anita Sgarro*, Motion for Stay and Extension of time (January 6, 2023). Furthermore, Sgarro has not shown that a denial of a stay would prejudice her. If she obtains post-conviction relief and any portion of her criminal

judgment is vacated, then she “may seek to vacate any action based upon that judgment.” *Anita Sgarro*, Exchange Act Release No. 97040 (March 3, 2023) citing *Conrad P. Seghers*, Advisers Act Release No. 2656, 2007 WL 2790633, at \*3 (Sept. 26, 2007), *pet. denied*, 548 F.3d 129 (D.C. Cir. 2008).

For the reasons discussed above and in the Division’s summary disposition briefing, the Division asks the Commission to: (1) sanction Sgarro by barring her from (a) association with any broker, dealer, investment adviser, municipal securities dealer, municipal advisor, transfer agent, or nationally recognized statistical rating organization, and (b) participating in any offering of a penny stock; and (2) deny Sgarro’s motion for extension of time or stay of summary disposition until she files her 2255 motion in her criminal case.

May 31, 2023

Respectfully submitted,

A large black rectangular redaction box covering the signature of Stephanie N. Moot.

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**CERTIFICATE OF SERVICE**

Pursuant to Rule 150 of the Commission's Rules of Practice, I hereby certify that on May 31, 2023, the foregoing was filed using the eFAP system, and that a true and correct copy of said filing is being served via email on the following persons entitled to notice:

*Via Email*

Anita Sgarro

Email: [REDACTED]

[REDACTED]

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Stephanie N. Moot  
Senior Trial Counsel