

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

ADMINISTRATIVE PROCEEDING
File No. 3-21160

In the Matter of

SEAN ANDREW O'NEAL,

Respondent.

STATUS REPORT

The Division of Enforcement (the "Division") respectfully submits this Status Report pursuant to the Commission's Order Directing Status Report from the Division of Enforcement. *See Sean Andrew O'Neal*, Securities Exchange Act Rel. No. 100190 (May 21, 2024). On June 26, 2023, the Order Instituting Proceedings ("OIP") was personally served on Sean Andrew O'Neal ("O'Neal").

O'Neal did not file an answer within the required 20 days of service and the Commission ordered him to show cause by December 21, 2023 why he should not be in default. In April 2024, O'Neal transmitted an executed Offer of Settlement to the Division. That offer, however, did not include one of the standard terms the Division required post *SEC v. Cochran*, 598 U.S. 175 (2023). Accordingly, O'Neal was asked to execute a revised offer, and the Division just recently received O'Neal's revised Offer of Settlement.

In the wake of *SEC v. Jarkesy, Jr.*, 603 U.S. __ (2024), the undersigned is currently drafting a side letter to include appropriate language that was not in the previous signed, revised offer. Once the Respondent signs and returns the side letter, the Division will submit the revised offer and side letter to the Commission, which should fully resolve this matter.

Regardless, the Division will further update the Commission regarding the status of this matter within 30 days of this status report.

Dated: July 18, 2024

Respectfully submitted,

/s/Duane K. Thompson

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that, on this 18th day of July 2024, he caused a copy of the foregoing Status Report to be transmitted to Respondent Sean Andrew O'Neal via U.S Postal Service First Class Mail at his last known addresses of [REDACTED]
[REDACTED] and [REDACTED].

/s/Duane K. Thompson
Duane K. Thompson