

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 100275 / June 5, 2024

Admin. Proc. File No. 3-21264

In the Matter of

PETER JOSEPH POLINSKI TRUST

ORDER REGARDING RESPONSE BRIEF

On December 27, 2022, the Securities and Exchange Commission issued an order instituting proceedings (“OIP”) against the Peter Joseph Polinski Trust (“Trust”) pursuant to Section 17A(c)(3) of the Securities Exchange Act of 1934.¹ The OIP alleges that the Trust violated the Exchange Act and its rules by: filing a misleading address on its registration Form TA-1; failing to timely amend the Form TA-1 to correct that misleading address; and failing to file annual reports on Form TA-2 for 2019, 2020, and 2021.²

Following the pre-hearing conference, the Division of Enforcement moved for summary disposition, requesting that the Commission find the Trust violated the Exchange Act and its rules by engaging in the above conduct, and sanction the Trust by revoking its registration as a transfer agent. The Trust subsequently filed its own motion for summary disposition.

On February 26, 2024, Peter Joseph Polinski (“Polinski”), who is listed as the Trust’s Treasurer on its registration Form TA-1,³ filed another motion for “summary disposition for the reinstatement” of the Trust. Polinski raises the same arguments as in the Trust’s original motion, but additionally claims that he has “been suspended and penalized since December 2023,” and

¹ *Peter Joseph Polinski Tr.*, Exchange Act Release No. 96585, 2022 WL 17979680 (Dec. 27, 2022).

² *See id.* at *1-2.

³ We take official notice of the Trust’s EDGAR filings pursuant to Rule of Practice 323, 17 C.F.R. § 201.323 (permitting the Commission to take official notice of “any matter in the public official records of the Commission”).

requests the Commission “reinstate me as a Transfer Agent and I will update my address, phone number, and bring my TA-2 years to current.”⁴

Accordingly, IT IS ORDERED that by June 19, 2024, the Division may file a response to the Trust’s renewed motion and that the Trust may file a reply within five days of when it is served with any response. The parties’ attention is directed to the e-filing requirements in the Rules of Practice.⁵

For the Commission, by the Office of the General Counsel, pursuant to delegated authority.

Vanessa A. Countryman
Secretary

⁴ We construe Polinski’s references to himself as referring to the Trust, of which he is the sole listed principal.

Polinski suggests that the Trust must be “reinstate[d]” before updating the Trust’s Commission filings or otherwise taking action in response to the OIP. But this proceeding remains pending, and the Trust’s registration has not been revoked. The Trust therefore remains free to take further action. The Trust may also notify the Commission and Division about any actions it may take.

⁵ See Rules of Practice 151, 152(a), 17 C.F.R. §§ 201.151, .152(a) (providing procedure for filing papers with the Commission and mandating electronic filing in the form and manner posted on the Commission’s website); *Instructions for Electronic Filing and Service of Documents in SEC Administrative Proceedings and Technical Specifications*, <https://www.sec.gov/efapdocs/instructions.pdf>. Parties generally also must certify that they have redacted or omitted sensitive personal information from any filing. Rule of Practice 151(e), 17 C.F.R. § 201.151(e).