

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

INVESTMENT ADVISERS ACT OF 1940
Release No. 6645 / August 6, 2024

Admin. Proc. File No. 3-20139

In the Matter of
MOHAMMED ALI RASHID

ORDER DISMISSING PROCEEDING

On October 26, 2020, the Securities and Exchange Commission issued an order instituting administrative proceedings (“OIP”) against Mohammed Ali Rashid pursuant to Section 203(f) of the Investment Advisers Act of 1940.¹ The OIP alleged that, on October 14, 2020, a federal district court permanently enjoined Rashid from violating Advisers Act Section 206(2), and ordered Rashid to pay a civil penalty.² The Commission instituted these proceedings to determine whether the allegations are true and what, if any, remedial action is appropriate in the public interest against Rashid.³

On March 13, 2024, the U.S. Court of Appeals for the Second Circuit issued an opinion reversing the district court’s judgment.⁴ On June 24, 2024, we ordered the parties to file briefs addressing the effect, if any, that the court’s reversal of the district court’s judgment cited in the OIP had on this proceeding’s continued viability.⁵ The Division of Enforcement responded that it has filed a letter with the district court stating that “the Commission sees no basis why the Court should not direct the Clerk of Court to enter judgment for the defendant and close the case.” The Division further noted that, once the court enters judgment for Rashid, “there no longer would be a jurisdictional basis for the current proceeding.” The Division therefore requests that this proceeding be dismissed “in the interests of justice and administrative economy.” Rashid responded that, for the same reasons cited in the Division’s response, the

¹ *Mohammed Ali Rashid*, Advisers Act Release No. 5620, 2020 WL 6286294 (Oct. 26, 2020); *see also* 15 U.S.C. § 80b-3(f).

² *Rashid*, 2020 WL 6286294, at *1; *see also* 15 U.S.C. § 80b-6(2); *SEC v. Rashid*, No. 17-cv-8223, 2020 WL 5658665 (S.D.N.Y. Oct. 14, 2020) (final judgment).

³ *Rashid*, 2020 WL 6286294, at *2.

⁴ *SEC v. Rashid*, 96 F.4th 233, 244 (2d Cir. 2024).

⁵ *Mohammed Ali Rashid*, Advisers Act Release No. 6631, 2024 WL 3104824 (June 24, 2024).

proceeding should be dismissed. Under the circumstances, it appears appropriate to grant the parties' motions and dismiss the proceeding.⁶

Accordingly, IT IS ORDERED that this proceeding is dismissed.

By the Commission.

Vanessa A. Countryman
Secretary

⁶ See, e.g., *Lee C. Schlesinger*, Exchange Act Release No. 96372, 2022 WL 17100689, at *1 (Nov. 21, 2022) (granting joint motion to dismiss); *Cliffe R. Bodden*, Exchange Act Release No. 90283, 2020 WL 6381302, at *1 (Oct. 29, 2020) (granting unopposed motion to dismiss).