

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 85496 / April 3, 2019

ACCOUNTING AND AUDITING ENFORCEMENT
Release No. 4036 / April 3, 2019

ADMINISTRATIVE PROCEEDING
File No. 3-19130

In the Matter of

EVAN R. KITA, CPA,

Respondent.

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**ORDER OF SUSPENSION PURSUANT
TO RULE 102(e)(2) OF THE
COMMISSION'S RULES OF PRACTICE**

I.

The Securities and Exchange Commission deems it appropriate to issue an order of forthwith suspension of Evan R. Kita ("Kita") pursuant to Rule 102(e)(2) of the Commission's Rules of Practice [17 C.F.R. § 201.102(e)(2)].¹

II.

The Commission finds that:

1. Kita is a certified public accountant in Pennsylvania.
2. On September 6, 2018, a judgment of conviction was entered against Kita in *United States v. Evan Kita*, 3:17-cr-00347-MAS in the United States District Court for the District of New Jersey, finding him guilty of conspiracy to commit securities fraud, in violation of 18 U.S.C. § 371, and securities fraud, in violation of 15 U.S.C. §§ 78j(b) and 78ff and 17 C.F.R. §§ 240.10b-5 and 240.10b5-2.

¹ Rule 102(e)(2) provides in pertinent part: "Any ... person who has been convicted of a felony or a misdemeanor involving moral turpitude shall be forthwith suspended from appearing or practicing before the Commission."

3. As a result of this conviction, Kita was sentenced to 6 months imprisonment in a federal penitentiary, and two years of supervised release with six months of location monitoring. In addition, Kita was ordered to forfeit \$8,920 and pay a fine of \$5,000.

III.

In view of the foregoing, the Commission finds that Kita has been convicted of a felony within the meaning of Rule 102(e)(2) of the Commission's Rules of Practice.

Accordingly, it is ORDERED, that Evan R. Kita is forthwith suspended from appearing or practicing before the Commission pursuant to Rule 102(e)(2) of the Commission's Rules of Practice.

By the Commission.

Vanessa A. Countryman
Acting Secretary