

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 93090 / September 21, 2021

ADMINISTRATIVE PROCEEDING
File No. 3-20588

In the Matter of

DANIEL B. KAMENSKY, Esq.,

Respondent.

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 Daniel B. Kamensky 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. Kamensky is an attorney who has been admitted to practice law in New York since 2000.
2. On May 10, 2021 a judgment of conviction was entered against Kamensky in *United States v. Kamensky*, Case No. 21-cr-67 (S.D.N.Y.). Kamensky pled guilty to Extortion and Bribery in Connection with Bankruptcy. He was sentenced to imprisonment for six months, followed by six months of supervised release with home detention, and fined \$55,000.
3. The Commission also brought an action against Kamensky, the founder of New York-based registered investment adviser Marble Ridge Capital LP, for the same misconduct at issue in the criminal proceeding. The Commission's complaint alleges that Kamensky used his position on the bankruptcy committee that facilitated the offering of securities for the Neiman Marcus Group Ltd. LLC bankruptcy estate to

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."

manipulate the offering so that Kamensky's own fund could purchase the securities at an artificially low price. *SEC v. Kamensky*, Case No. 20-cv-7193 (S.D.N.Y.).

III.

In view of the foregoing, the Commission finds that Kamensky 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 Daniel B. Kamensky 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
Secretary