

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**CASE NO.: 23-cv-22791-KMW**

**SECURITIES AND EXCHANGE COMMISSION,**

**Plaintiff,**

**v.**

**BRENT SEAMAN,  
ACCANITO EQUITY, LLC,  
ACCANITO EQUITY II, LLC,  
ACCANITO EQUITY III, LLC,  
ACCANITO EQUITY IV, LLC,  
ACCANITO CAPITAL GROUP, LLC,  
SURGE, LLC,  
ACCANITO HOLDINGS, LLC,**

**Defendants and,**

**JANA SEAMAN,  
VALO HOLDINGS GROUP, LLC,  
SURGE CAPITAL VENTURES, LLC,**

**Relief Defendants.**

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**PLAINTIFF’S STATUS REPORT REGARDING PROPOSED SETTLEMENT WITH  
DEFENDANT BRENT SEAMAN AND RELIEF DEFENDANT SURGE CAPITAL  
VENTURES, LLC AND UNOPPOSED MOTION TO EXTEND STAY OF CASE FOR 60  
DAYS TO ALLOW SEC COMMISSIONERS TO CONSIDER  
THE PROPOSED SETTLEMENT**

As this Court is aware, Plaintiff Securities and Exchange Commission (“SEC” or “Commission”) and Defendant Brent Seaman and Relief Defendant Surge Capital Ventures, LLC have agreed on a proposed settlement of all claims and relief the Plaintiff seeks against Seaman and Surge Capital Ventures, LLC, including monetary remedies. Before the settlement may be presented to the Court for review, the proposed settlement requires consideration by a vote of the

five-member Commission in Washington, DC.<sup>1</sup> Recognizing this approval process, the Court previously granted the SEC's Unopposed Motion to Stay the Case for 90 Days to give the Commission time to go through the approval process. (DE 59). More than 90 days have passed since the entry of the stay and the Court has requested a status report as to where things stand. (DE 69). Thus, the SEC files this update as to the settlement.

Defendants have signed proposed consents to final judgments that would resolve the Commission's outstanding claims. Commission staff have prepared a recommendation for the Commissioner's review, but that recommendation is still in the process of review by several SEC Divisions and offices. Undersigned counsel expects that the staff's recommendation will be presented to the Commissioners for a vote within the next 4-6 weeks. Accordingly, the SEC requests the current stay be continued for 60 additional days.

Such extension will not prejudice any party and will avoid unnecessary expenditures of judicial and party resources. Once the Commissioners consider the proposed settlement, we will promptly notify the Court of the result, and if the Commissioners approve the settlement, we will promptly file the appropriate paperwork requesting the Court to enter Final Judgment.

WHEREFORE for the foregoing reasons and for good cause shown, Plaintiff respectfully requests that this Court grant the requested relief in this Motion. A proposed order is submitted herewith.

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<sup>1</sup> Only the five Commissioners, appointed by the President with the advice and counsel of the Senate, *see* 15 U.S.C. § 78(d(a)), and not the staff of the Commission, have authority to settle an action filed in federal District Court.

**Certificate of Conferral**

Pursuant to Southern District of Florida Local Rule 7.1(a)(3), undersigned counsel for the Commission hereby certifies that she has conferred with counsel for Seaman and Surge Capital Ventures, LLC, and they agree to the requested relief in this motion.

Dated: August 28, 2024

Respectfully submitted,

By: **Alise Johnson**  
Alise Johnson  
Senior Trial Counsel  
Fla. Bar No. 0003270  
E-mail: [johnsonali@sec.gov](mailto:johnsonali@sec.gov)  
Direct Telephone: (305) 982-6385  
*Lead Attorney for Plaintiff*

**SECURITIES AND EXCHANGE  
COMMISSION**  
801 Brickell Avenue, Suite 1950  
Miami, Florida 33131  
Telephone: (305) 982-6300