

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 100454 / July 2, 2024

Admin. Proc. File No. 3-21626

In the Matter of
EMPOWER CLINICS, INC.

SCHEDULING ORDER

On September 7, 2023, the Securities and Exchange Commission issued an order instituting proceedings against Empower Clinics, Inc. (“Respondent”) pursuant to Section 12(j) of the Securities Exchange Act of 1934.¹ On November 17, 2023, Respondent filed its answer. On December 5, 2023, the parties submitted a joint statement regarding the prehearing conference, which represented that, “[i]f this matter does not settle, the Division anticipates filing a motion for summary disposition.” The parties agreed that, should the Division file such a motion for summary disposition, Respondent should have thirty calendar days to respond to the Division’s motion and the Division should have thirty calendar days submit a reply, without prejudice to the parties’ right to file a motion to seek an additional extension.²

On April 1, 2024, the Commission issued an order directing the parties to file a status report by May 1, 2024, concerning settlement efforts, or a briefing schedule for a motion for summary disposition in the event it does not appear a settlement agreement will be reached.³ On April 23, 2024, the Division filed a status report stating that the parties have not reached a settlement agreement and that the Division anticipates filing a motion for summary disposition on or before July 31, 2024.

Based on the parties’ agreement and the Division’s status report, it is appropriate to set the following briefing schedule. Accordingly, IT IS ORDERED that the Division shall file its motion for summary disposition by July 31, 2024; Respondent shall file its response to the

¹ *Empower Clinics, Inc.*, Exchange Act Release No. 98315, 2023 WL 5830476 (Sept. 7, 2023).

² See Rule of Practice 221(e), 17 C.F.R. § 201.221(e) (providing for entry of order that “recites the agreements reached” at the prehearing conference).

³ *Empower Clinics, Inc.*, Exchange Act Release No. 99868, 2024 WL 1416252 (Apr. 1, 2024).

Division's motion by August 30, 2024; and the Division shall file any reply in support of its motion by September 30, 2024.⁴ The parties may request that the Commission extend or stay these deadlines based on settlement discussions or for other good cause shown.⁵

The parties' attention is directed to Rule of Practice 250 governing dispositive motions, including length limitations.⁶ Attention is further directed to the e-filing requirements in the Rules of Practice.⁷ And we remind the parties that any document filed with the Commission must also be served upon all participants in this proceeding and be accompanied by a certificate of service.⁸

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

Vanessa A. Countryman
Secretary

⁴ September 29, 2024, is a Sunday.

⁵ See *Leon Vaccarelli*, Exchange Act Release No. 98757, 2023 WL 6879121, at *3 (Oct. 16, 2023) (explaining that a party may request extension or stay of deadlines based on settlement discussions); Rule of Practice 161, 17 C.F.R. § 201.161 (providing for extensions of time, postponements, and adjournments in administrative proceedings).

⁶ 17 C.F.R. § 201.250.

⁷ 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).

⁸ See Rule of Practice 150, 17 C.F.R. § 201.150 (requiring parties generally to serve each other with their filings); Rule of Practice 151(d), 17 C.F.R. § 201.151(d) ("Papers filed with the Commission . . . shall be accompanied by a certificate stating the name of the person or persons served, the date of service, the method of service, and the mailing address or email address to which service was made, if not made in person.").