

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

Administrative Proceedings Rulings
Release No. 5215 / November 2, 2017

Administrative Proceeding
File No. 3-18209

In the Matter of

**Hui Feng, and
Law Offices of Feng & Associates,
P.C.**

Order Regarding Service

On November 1, 2017, the Division of Enforcement submitted a statement representing that both Respondents have been served with the order instituting proceedings (OIP) pursuant to Rule 141 of the Commission's Rules of Practice. *See* 17 C.F.R. § 201.141(a)(2). The Division states that the OIP was sent to the Law Offices of Feng & Associates (Law Offices) by certified mail, and delivery was confirmed on October 2, 2017, by U.S. Postal Service records establishing that the OIP was delivered and left with an individual. As I ruled at the prehearing conference on October 30, this evidence establishes service on the Law Offices. *See* 17 C.F.R. § 201.141(a)(2)(i)-(ii).

The Division also maintains that although the copy of the OIP mailed to Hui Feng at his personal residence was not delivered, he was effectively served on October 2 because he is aware of the proceeding and because of the copy received by the Law Offices, which is Feng's office. However, "leaving a copy [of the OIP] at the individual's office" is only a valid method of personal service, not of service by mail. 17 C.F.R. § 201.141(a)(2)(i). Moreover, the OIP mailed to the Law Offices was addressed to the Law Offices, not Feng, and an OIP mailed to an individual must be "addressed to the individual." *Id.* Thus, Despite Feng's knowledge of the proceeding—demonstrated by his many emails to my office—he has not yet been properly served.

I ORDER the Division to file a sworn declaration of service by November 16, 2017, regarding the status of service on Feng.

Cameron Elliot
Administrative Law Judge