

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 86430 / July 22, 2019

Admin. Proc. File No. 3-18807

In the Matter of

DAVID HOWARD WELCH
(a/k/a DAVID HOWARD BRYANT)

ORDER GRANTING EXTENSION OF TIME

On September 20, 2018, the Securities and Exchange Commission issued an order instituting administrative proceedings (“OIP”) against David Howard Welch (a/k/a David Howard Bryant) pursuant to Section 15(b) of the Securities Exchange Act of 1934.¹ We directed the Division of Enforcement to file a status report concerning service of the OIP, and to file periodic status reports thereafter until service is complete.²

The Division filed status reports reciting efforts to serve Welch under Rule of Practice 141(a)(2)(i) at his office in the United States.³ The Division also represented that Welch “resides in Costa Rica,” but did not address whether its efforts were consistent with Rule 141(a)(2)(iv) governing service on a person in a foreign country.⁴ On July 9, 2019, we directed the Division to file an additional submission addressing, in addition to any other relevant arguments, Rule

¹ *David Howard Welch*, Exchange Act Release No. 84234, 2018 WL 4537200 (Sep. 20, 2018).

² *David Howard Welch*, Exchange Act Release No. 85834, 2019 WL 2071385 (May 10, 2019).

³ 17 C.F.R. § 201.141(a)(2)(i) (permitting service on an individual by, among other things, “leaving a copy at the individual’s office with a clerk or other person in charge thereof”).

⁴ Rule of Practice 141(a)(2)(iv)(A), 17 C.F.R. § 201.141(a)(2)(iv)(A) (listing permissible methods of serving a person in a foreign country, including “[a]ny method of service specified in paragraph (a)(2) of this rule that is not prohibited by the law of the foreign country”).

141(a)(2)(iv) and whether Costa Rican law prohibits service on a person in Costa Rica by leaving a copy of papers at the person's office with a clerk or person in charge thereof.⁵

On July 19, 2019, the Division filed a motion to extend to September 27, 2019, the time for responding to our July 9, 2019 order. The Division represents that the extension is needed "to retain an attorney in Costa Rica to advise the Division on the legal requirements for service in Costa Rica," a process that it says will take "ten weeks."

Pursuant to Commission Rule of Practice 161 and for good cause shown,⁶ IT IS ORDERED that the Division's time to file its additional submission pursuant to our July 9, 2019 order is extended to September 27, 2019.

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

Vanessa A. Countryman
Secretary

⁵ *David Howard Welch*, Exchange Act Release No. 86337, 2019 WL 3021191 (July 9, 2019).

⁶ 17 C.F.R. § 201.161.