

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 86974 / September 16, 2019

INVESTMENT COMPANY ACT OF 1940
Release No. 33626 / September 16, 2019

Admin. Proc. File No. 3-19243

In the Matter of
FIDELITY TRANSFER SERVICES, INC.
and
RUBEN SANCHEZ

ORDER REGARDING SERVICE

On July 10, 2019, the Commission issued an order instituting administrative and cease-and-desist proceedings (the “OIP”) pursuant to Sections 17A(c) and 21C of the Securities Exchange Act of 1934 and Section 9(b) of the Investment Company Act of 1940 against Fidelity Transfer Services, Inc., and Ruben Sanchez.¹ The OIP, which was sent to respondents’ last known addresses, directed respondents to file an answer within 20 days of service.² Respondents did not file an answer and, on August 20, 2019, were directed to show cause, by September 3, 2019, why they should not be deemed to be in default.³ The Division of Enforcement also was directed to file a motion for default by October 3, 2010, if respondents did not file an answer as directed.⁴

On September 6, 2019, the Division filed a status report regarding the matter in which it stated that, on August 30, 2019, it was informed by the Commission’s Secretary that all mail sent to respondents had been returned as undeliverable. Given this development, the Division asserts that a motion for default is not “appropriate at this time.” The Division further asserts, however, that, as a registered transfer agent, respondents can be served at the business address on their most recent registration form upon confirmation of attempted delivery, pursuant to Commission Rule of Practice 141(a)(2)(iii).⁵ The Division represents that it has now provided that address to the Secretary and requests an extension of time to permit the Secretary to effect service at that

¹ Exchange Act Rel. No. 86347, 2019 WL 3035436 (July 10, 2019).

² *Id.* at *4.

³ *Fidelity Transfer Servs., Inc.*, Exchange Act Rel. No. 86718, 2019 WL 3933690 (August 20, 2019).

⁴ *Id.* at 1.

⁵ 17 C.F.R. §201.141(a)(2)(iii).

address. Under the circumstances, it is appropriate to vacate the previous show cause order and direct the Division to apprise the Commission of the status of its efforts to effect service.⁶

Accordingly, IT IS ORDERED that the August 20, 2019 Order to Show Cause in this matter is vacated and that the Division of Enforcement file a status report concerning service of the OIP by September 30, 2019, and every 28 days thereafter until service is accomplished.

The parties are reminded that to the extent possible an electronic courtesy copy of each filing should be emailed to APFilings@sec.gov in PDF text-searchable format.

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

Vanessa A. Countryman
Secretary

⁶ Because the show cause order is vacated, the Division's request for an extension is moot.