

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 3093 / September 3, 2015

ADMINISTRATIVE PROCEEDING
File No. 3-16706

In the Matter of

SACHIN K. UPPAL

ORDER TO SHOW CAUSE AND DIRECTING
DIVISION TO RESPOND TO RESPONDENT'S
MOTION

The Securities and Exchange Commission instituted this proceeding on July 28, 2015, when it issued an Order Instituting Proceedings (OIP) under Section 203(f) of the Investment Advisers Act of 1940. At a prehearing conference held on August 10, I determined that Respondent Sachin K. Uppal was served on August 4 and his Answer to the OIP's allegations was due August 24. *Sachin K. Uppal*, Admin. Proc. Rulings Release No. 3029, 2015 SEC LEXIS 3265 (Aug. 11, 2015). I also set a briefing schedule for motions for summary disposition. *Id.* To date, Uppal has not filed an Answer.

Uppal has filed a motion for extension, requesting "an extension to reply to" the Division's "file on [his] administrative action" and stating that he has "not yet received the paper work on and of [his] findings." He says he needs that information to "reply to the counts." It appears that Uppal is requesting an extension of time to file an Answer on the basis that he has not received the Division's investigative file.

First, Uppal's motion did not include a certificate of service in accordance with Rule of Practice 151(d) and there is no indication that a copy of his motion was mailed to the Division.¹ *See* 17 C.F.R. § 201.151(d). Uppal is reminded that in addition to filing any motion with the Commission's Office of the Secretary, he must mail a copy to the Division. Failure to do so is grounds to strike a filing under Rule of Practice 180(b), 17 C.F.R. § 201.180(b).

Second, the OIP's factual allegations consist of three numbered paragraphs and relate to Uppal's age, incarceration status, former occupation, business activities, and the underlying criminal action. Such information should be within Uppal's personal knowledge and it is not apparent why he needs papers from the Division to Answer the OIP. *See* 17 C.F.R. § 201.220 (governing answers).

It is ORDERED that Uppal shall SHOW CAUSE no later than September 17, 2015, why this proceeding should not be determined against him due to his failure to timely file an Answer.

¹ The Rules of Practice are available online at <http://www.sec.gov/about/rulesprac2006.pdf>.

If Uppal fails to respond to this Order, he may be deemed in default and the proceeding may be determined against him. *See* 17 C.F.R. §§ 201.155(a)(2), .220(f); OIP at 2. The Division shall file a response to Uppal's extension motion by September 10, 2015. The Division should address Uppal's apparent claim that he has not been given access to the investigative file. Uppal shall file a reply by September 17, 2015.

James E. Grimes
Administrative Law Judge