

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

ADMINISTRATIVE PROCEEDINGS RULINGS

Release No. 2129/December 12, 2014

ADMINISTRATIVE PROCEEDING

File No. 3-15936

In the Matter of

CHRISTOPHER A.T. PEDRAS (a/k/a CHRIS PEDRAS :
a/k/a ANTONE THOMAS PEDRAS : POSTPONEMENT ORDER

The Securities and Exchange Commission instituted this proceeding with an Order Instituting Proceedings (OIP) on June 18, 2014. The proceeding is a follow-on proceeding based on *SEC v. Pedras*, No. 13-cv-7932 (C.D. Cal. June 9, 2014), in which Respondent Christopher A.T. Pedras (a/k/a Chris Pedras a/k/a Antone Thomas Pedras) (Pedras), was enjoined, by default, against violations of the antifraud and registration provisions of the federal securities laws.

The Division of Enforcement (Division) has filed a motion for default, which must be denied because Pedras has not yet been served with the OIP in accordance with 17 C.F.R. § 201.141(a)(2)(i), (iv). Pedras has been out of the United States during the pendency of this proceeding and has relocated to Tonga. The Division sent Pedras the OIP by email and believes that this complies with 17 C.F.R. § 201.141(a)(2)(iv), which provides, “Notice of a proceeding to a person in a foreign country may be made by any method specified in [17 C.F.R. § 201.141(a)(2)] or by any other method reasonably calculated to give notice, provided that the method of service used is not prohibited by the laws of the foreign country.” While the Division believes that its emailing was good service,¹ it has not provided any citation to Tongan law to support this belief.² Accordingly, Pedras had not been served.

To allow time for service of the OIP and Pedras’s Answer, consistent with 17 C.F.R. § 201.161, the telephonic prehearing conference scheduled for December 19, 2014, will be postponed and held on April 10, 2015, at 10:30 a.m. EDT, if the proceeding has not been resolved by then.

IT IS SO ORDERED.

/S/ Carol Fox Foelak
Carol Fox Foelak
Administrative Law Judge

¹ The Division notes that in *SEC v. Pedras* the court permitted it to serve its complaint on Pedras, then located in New Zealand, by email, pursuant to Federal Rule of Civil Procedure 4(f)(3). However, the Federal Rules of Civil Procedure do not apply in the Commission’s administrative proceedings.

² For example, Tonga’s Service of Foreign Process Rules provide for service of process in proceedings pending before a tribunal of some foreign countries. *Service of Foreign Process Rules*, G.S. 51/73, Act. No. 46 of 1988 (Tonga). Service must be by personal service and the documents to be served must be accompanied by translations of the documents into Tongan. *Id.* at Rules 4,5.