

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

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 5210/October 31, 2017

ADMINISTRATIVE PROCEEDING
File No. 3-17621

In the Matter of

ANDREW STITT

:
:

ORDER

The Securities and Exchange Commission instituted this proceeding with an Order Instituting Proceedings (OIP) on October 6, 2016, pursuant to Section 15(b) of the Securities Exchange Act of 1934. The proceeding is a follow-on proceeding based on *SEC v. Team Res., Inc.*, No. 3:15-cv-1045 (N.D. Tex. Aug. 18, 2016), in which Respondent Andrew Stitt was enjoined against violations of the antifraud and registration provisions of the federal securities laws. Under consideration are the Division of Enforcement's reports on the status of its efforts to serve the OIP on Respondent Stitt, who resides in Jamaica. *See Andrew Stitt*, Admin. Proc. Rulings Release No. 4292, 2016 SEC LEXIS 3972 (A.L.J. Oct. 21, 2016).

Efforts to serve Respondent Stitt included mailing the OIP to him and retaining a process server. The Commission did not receive confirmation of receipt of the mailing. Nor did the Division receive a return of service from the process server, and its attempts to communicate with the process server were fruitless. The Division believes that Respondent Stitt is aware of the contents of the OIP and provided numerous emails between the parties regarding a potential settlement of this proceeding. The Division also states that Respondent Stitt orally confirmed, in a February 2, 2017, phone call, that he had received a mailing that contained the OIP. Nonetheless, this does not constitute service of the OIP in accordance with 17 C.F.R. § 201.141(a)(2)(i), (iv). There is neither delivery to him, nor mailing him a copy and obtaining a confirmation of receipt within the meaning of Rule 141(a)(2)(i), (iv). Absent a showing that service has been achieved by other means specified by Rule 141(a)(2)(iv), the Division may wish to consider moving to dismiss the proceeding.

IT IS SO ORDERED.

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