

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

Administrative Proceedings Rulings
Release No. 6228 / October 19, 2018

Administrative Proceeding
File No. 3-17959

In the Matter of
Gregory Reyftmann

**Order Authorizing Service
by Commercial Courier**

On October 17, 2018, I held a prehearing conference in which only the Division of Enforcement participated. I expressed concern that Respondent had never been served with the order instituting proceedings (OIP) in a manner compliant with the Securities and Exchange Commission's Rules of Practice. The Division requested permission to re-serve Respondent by commercial courier at his address in France.

Rule 141(a)(2)(iv)(D) allows service of the OIP “[b]y any other means not prohibited by international agreement, as the Commission or hearing officer orders.” France is a signatory to the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters, *done* Nov. 15, 1965, 20 U.S.T. 361, 658 U.N.T.S. 163, and does not object under Article 10(a) to service of judicial documents through postal channels. Table Reflecting Applicability of Articles 8(2), 10(a)(b) and (c), 15(2) and 16(3) of the Hague Service Convention 6 (June 2017), <https://assets.hcch.net/docs/6365f76b-22b3-4bac-82ea-395bf75b2254.pdf>. Service by commercial courier in France is thus not prohibited by international agreement. *See TracFone Wireless, Inc. v. Unlimited PCS Inc.*, 279 F.R.D. 626, 631 (S.D. Fla. 2012) (“numerous courts have recognized that FedEx (or other commercial mail couriers) are permissible ‘postal channels’ through which to complete service consistent with Article 10(a) of the Hague Service Convention”).

Accordingly, I ORDER the Division to re-serve Respondent via commercial courier or any other means consistent with the Rules of Practice.

I FURTHER ORDER the Division to file a service declaration by November 9, 2018, describing the result of its efforts.

Cameron Elliot
Administrative Law Judge