# UNITED STATES OF AMERICA Before the SECURITIES AND EXCHANGE COMMISSION

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OFFICE OF THE SECRETARY

ADMINISTRATIVE PROCEEDING File No. 3-19271

In the Matter of

Enhanced Services Company, Inc., et al.

Respondents.

### DIVISION OF ENFORCEMENT'S MOTION FOR <u>DEFAULT AND BRIEF IN SUPPORT</u>

The Division of Enforcement ("Division"), by counsel, pursuant to Commission Rules of Practice Rules 154(a) and 155(a)(2) respectfully moves the Securities and Exchange Commission ("Commission") for an order entering a default against Enhanced Services Company, Inc. (CIK No. 830489) ("Enhanced Services") and Ingenex, Inc. (CIK No. 930346) ("Ingenex") (collectively "Respondents") in this proceeding and ordering the revocation of the registration of each class of Respondents' securities registered pursuant to Section 12 of the Securities Exchange Act of 1934 ("Exchange Act").

#### Argument

On July 24, 2019, the Commission issued an Order Instituting Proceedings ("OIP") against Respondents which have securities registered with the Commission under Section 12(g) of the Exchange Act. The OIP alleges the Respondents are delinquent in filing their mandated periodic reports. Because each of the Respondents failed to answer or otherwise

respond to the OIP, the Division now seeks entry of an order finding respondents Enhanced Services and Ingenex to be in default in this proceeding.

Commission Rule of Practice 220(b) states that where an answer is required to be filed by rule or order, the respondent "shall do so within 20 days after service upon the respondent of the order instituting proceedings" unless a different period is provided by rule or order. Here, the OIP requires "an Answer [to be filed] to the allegations contained in this Order within ten (10) days after service of this Order." OIP at IV. Commission Rule of Practice 160(a) provides that Saturdays, Sundays and Federal legal holidays are to be counted as part of the 10 day period, and Commission Rule of Practice 160(b) extends that time by three days if service is made by mail.

The Declaration of Gina Joyce to Assist Secretary with Record of Service (attached hereto as Exhibit A) ("Joyce Declaration") establishes that on July 26, 2019, Enhanced Services was served with the OIP, along with a letter from the Commission's Secretary, and a letter from the Division offering discovery pursuant to Rule of Practice 230 (collectively the "Service Documents"), by Express Mail delivery at the address provided in its last EDGAR filing with the Commission, in accordance with Commission Rule of Practice 141(a)(2)(ii). Enhanced Services' answer to the OIP was due by Thursday, August 8, 2019. However, Enhanced Services has not filed an answer or made any other response to the OIP in this proceeding.

The Joyce Declaration also establishes that on July 26, 2019, service upon Ingenex of the Service Documents was attempted by Express Mail delivery at the address provided in its last EDGAR filing with the Commission, in accordance with Commission Rule of Practice 141(a)(2)(ii). Ingenex's answer to the OIP was due by Thursday, August 8, 2019. However, Ingenex has not filed an answer or made any other response to the OIP in this proceeding.

The Respondents at issue are delinquent in their filings with the Commission and have been delinquent for over two years. In addition, the Respondents' failure to answer supports revocation of the registration of each class of the Respondents' securities. Accordingly, the Division moves for an order, pursuant to Rule 155(a)(2), finding these Respondents to be in default in this proceeding and ordering that the registration of each class of their securities registered pursuant to Exchange Act Section 12 be revoked.

### Conclusion

For the reasons set forth above, the Division respectfully requests that the Commission:

1) grant the Division's Motion; 2) enter an order of default against Enhanced Services and

Ingenex; and 3) revoke the registration of each class of their securities registered pursuant to

Section 12 of the Exchange Act.

Dated: November 5, 2019

Respectfully submitted,

James Carlso

(202) 551-3711 (202) 551-4850

Gina Joyce

Securities and Exchange Commission

100 F Street, N.E., Room 5120 Washington, D.C. 20549-5010

COUNSEL FOR DIVISION OF ENFORCEMENT

# **EXHIBIT A**

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AUG 29 2019

OFFICE OF THE SECRETARY

## UNITED STATES OF AMERICA Before the SECURITIES AND EXCHANGE COMMISSION

ADMINISTRATIVE PROCEEDING File No. 3-19271

In the Matter of

Enhanced Services Company, Inc., et al.,

Respondents.

### DECLARATION OF GINA JOYCE TO ASSIST SECRETARY WITH RECORD OF SERVICE

GINA JOYCE, pursuant to 28 U.S.C. § 1746, declares:

- 1. I am a Senior Counsel with the Division of Enforcement ("Division") of the Securities and Exchange Commission, and co-counsel for the Division in the captioned administrative proceeding. I am submitting this Declaration to assist the Secretary in maintaining a record of service on the respondents in the captioned proceedings pursuant to Rule 141(a)(3).
- 2. Among other means, Securities and Exchange Commission ("Commission")
  Rule of Practice 141(a)(2)(ii) permits service on a corporation or entity by delivering a
  copy of an Order Instituting Administrative Proceedings ("OIP") to an agent authorized
  by appointment or law to receive such service or, in the case of an issuer with a class of
  securities registered with the Commission, by sending the OIP via U.S. Postal Service
  certified, registered, or Express Mail and obtaining a confirmation of attempted delivery
  on the most recent address shown on the entity's most recent filing with the Commission.

Further, the OIP in this matter authorizes service of the OIP "by any means permitted by the Commission's Rules of Practice." Therefore, the Division asked the Commission's Secretary to first attempt service on the Respondents via U.S. Priority Mail Express.

- 3. The Office of the Secretary provided me with the U.S. Priority Mail Express tracking numbers for the copies of the Order Instituting Proceedings ("OIP")<sup>I</sup> that were mailed by the Secretary to the respondents in these proceedings. I input each of the tracking numbers into the U.S. Postal Service's ("USPS's") package tracking system on its Internet website located at <a href="www.usps.com">www.usps.com</a>, and printed out the tracking confirmations in order to obtain confirmation of the delivery or attempted delivery of the OIP on each respondent. A true copy of the tracking confirmations for all of the respondents for whom express mail service was attempted is attached as Exhibit 1, hereto.
- 4. The Secretary mailed the OIP to respondent Enhanced Services Company, Inc., CIK 830489 ("Enhanced Services"), via Priority Mail Express, Tracking No. EF 200201175 US, to the address shown on its most recent EDGAR filing at 3415 South Sepulveda Avenue, Suite 500, Los Angeles, CA 90034. This address is taken from Enhanced Services's last filing with the Commission, which was a Form 12B-25 filed with the Commission on March 30, 1999. The USPS tracking system confirms that the package was delivered on July 26, 2019. See Exhibit 1 at p. 1.
- 5. The Secretary mailed the OIP to respondent Ingenex, Inc., CIK 930346 ("Ingenex"), via Priority Mail Express, Tracking No. EF 200194253 US, to the address shown on its most recent EDGAR filing at 1505 O'Brien Dr., Menlo Park, CA 94025.

  This address is taken from Ingenex's last filing with the Commission, which was a Form

<sup>&</sup>lt;sup>1</sup>Each service package included the OIP, a letter from the Commission's Secretary, and a letter from the Division offering discovery pursuant to Rule of Practice 230.

SB-2/A filed with the Commission on October 25, 1996. The USPS tracking system confirms that delivery was attempted on July 26, 2019. The addressee was unknown. The package was returned to the SEC. *See* Exhibit 1 at p. 4.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 29, 2019.

Juna Joyco Gina Joyce

## USPS Tracking® FAQs > (https://www.usps.com/faqs/uspstracking-faqs.htm)

### Track Another Package +

Tracking Number: EF200201175US

Your item was delivered in or at the mailbox at 10:58 am on July 26, 2019 in LOS ANGELES, CA 90034.

Delivered
July 26, 2019 at 10:58 am
Delivered, In/At Mailbox
LOS ANGELES, CA 90034

Get Updates 

Proof of Delivery

Tracking History

July 26, 2019, 10:58 am
Delivered, In/At Mailbox
LOS ANGELES, CA 90034

Your item was delivered in or at the mailbox at 10:58 am on July 26, 2019 in LOS ANGELES, CA

Remove X

90034.

July 26, 2019, 10:03 am Out for Delivery LOS ANGELES, CA 90034

July 26, 2019, 9:44 am Arrived at Post Office LOS ANGELES, CA 90034

July 26, 2019, 7:16 am

Arrived at USPS Regional Facility

LOS ANGELES CA INTERNATIONAL DISTRIBUTION CENTER

July 25, 2019, 7:43 pm
Departed USPS Regional Facility
LINTHICUM HEIGHTS MD DISTRIBUTION CENTER

July 25, 2019, 7:32 pm
Arrived at USPS Regional Facility
LINTHICUM HEIGHTS MD DISTRIBUTION CENTER

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#### Track Another Package +

Tracking Number: EF200194253US

Remove X

Your item was delivered at 11:20 am on July 29, 2019 in WASHINGTON, DC 20549 to SEC 20549 R26. The item was signed for by J DAVIS.

### **⊘** Delivered

July 29, 2019 at 11:20 am Delivered WASHINGTON, DC 20549 Feedbac

Text & Email Updates	~
Proof of Delivery	~
Tracking History	^

July 29, 2019, 11:20 am
Delivered
WASHINGTON, DC 20549
Your item was delivered at 11:20 am on July 29, 2019 in WASHINGTON, DC 20549 to SEC 20549 R26. The item was signed for by J DAVIS.

July 29, 2019, 11:01 am Out for Delivery WASHINGTON, DC 20018 July 29, 2019, 10:51 am Sorting Complete WASHINGTON, DC 20018

July 29, 2019, 10:40 am Arrived at Post Office WASHINGTON, DC 20018

July 29, 2019, 6:24 am
Arrived at USPS Regional Facility
WASHINGTON DC DISTRIBUTION CENTER

July 26, 2019, 10:41 am Addressee Unknown MENLO PARK, CA 94025

July 26, 2019, 9:01 am Arrived at Post Office MENLO PARK, CA 94025

July 26, 2019, 7:02 am

Arrived at USPS Regional Facility
SAN FRANCISCO CA INTERNATIONAL DISTRIBUTION CENTER

July 25, 2019, 7:49 pm Departed USPS Regional Facility LINTHICUM HEIGHTS MD DISTRIBUTION CENTER

July 25, 2019, 7:32 pm Arrived at USPS Regional Facility LINTHICUM HEIGHTS MD DISTRIBUTION CENTER

Product Information	<b>∨</b>

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### **CERTIFICATE OF SERVICE**

I hereby certify that true copies of the Division of Enforcement's Motion for Default and Brief in Support were served on the following on this <u>s</u> day of November, 2019, in the manner indicated below:

By Hand:
Office of the Secretary
Securities and Exchange Commission
100 F Street, N.E.
Washington, D.C. 20549-2557

By Certified Mail:

Enhanced Services Company, Inc. 3415 South Sepulveda Avenue, Suite 500 Los Angeles, CA 90034

By Certified Mail:

Ingenex, Inc. 1505 O'Brien Dr. Menlo Park, CA 94025

James Carlson