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# UNITED STATES OF AMERICA Before the SECURITIES AND EXCHANGE COMMISSION

ADMINISTRATIVE PROCEEDING File No. 3-19315

In the Matter of
ASN Satellites, 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) ("Rule"), respectfully moves the Securities and Exchange Commission ("Commission") for an order of default against ASN Satellites, Inc. ("ASN"), Caleminder Inc. ("Caleminder"), and Hyperfeed Technologies, Inc. ("Hyperfeed") (collectively "Respondents") in this proceeding and ordering the revocation of each class of their securities registered pursuant to Section 12 of the Securities Exchange Act of 1934 ("Exchange Act").

#### **Argument**

On August 6, 2019, the Commission issued an Order Instituting Proceedings ("OIP") against the 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

The OIP also named Extreme Energy Solutions Inc. as a respondent, but it consented to a settlement with the Commission.

respond to the OIP, the Division now seeks entry of an order finding ASN, Caleminder, and Hyperfeed to be in default in this proceeding.

The Declaration of Vinyard Cooke to Assist Secretary with Record of Service establishes that each of the Respondents were served with the OIP by actual or attempted Express Mail delivery in accordance with Rule 141(a)(2)(ii). See Exhibit A. In addition to the OIP, the Respondents were also served with a letter offering the Division's investigative file for inspection and copying pursuant to Rule 230. However, none of the Respondents have 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 periods ranging from over two to fifteen years. In addition, the Respondents' failure to answer supports revocation of the registration of each class of 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 ASN Satellites, Inc.,

Caleminder Inc., and Hyperfeed Technologies, Inc.; and 3) also order the revocation of each

class of their securities registered pursuant to Section 12 of the Exchange Act.

Dated: September 30, 2019

Respectfully submitted,

James Carlson

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carlsonj@sec.gov

Vinyard V Cooke

(202) 551-4768

cookev@sec.gov

Securities and Exchange Commission

100 F Street, N.E., Room 5041

Washington, D.C. 20549-5041

COUNSEL FOR

DIVISION OF ENFORCEMENT

#### **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 30<sup>th</sup> day of September, 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: ASN Satellites, Inc. 9545 Wilshire Blvd., Suite 610 Beverly Hills, CA 90212

Caleminder Inc. 10161 Park Run Dr., Suite 150 Las Vegas, NV 89145

Hyperfeed Technologies, Inc. 300 S. Wacker Dr., Suite 300 Chicago, IL 60606

James Carlson

# EXHIBIT A

# UNITED STATES OF AMERICA Before the SECURITIES AND EXCHANGE COMMISSION



ADMINISTRATIVE PROCEEDING File No. 3-19315

In the Matter of

ASN Satellites, Inc., et al.,

Respondents.

## DECLARATION OF VINYARD COOKE TO ASSIST SECRETARY WITH RECORD OF SERVICE

VINYARD V COOKE, 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 Securities and Exchange Commission ("Commission") Rule of Practice 141(a)(3).
- 2. Among other means, Rule 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>1</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 ASN Satellites, Inc., CIK 1662675 ("ASN"), via Priority Mail Express, Tracking No. EF 200269291 US, to the address shown on its most recent EDGAR filing at 9545 Wilshire Boulevard, Suite 610, Beverly Hills, CA 90212. This address is taken from ASN's last filing with the Commission, which was a Form 10-Q filed with the Commission on May 15, 2017. The USPS tracking system confirms that delivery was attempted on August 8, 2019, but was returned as addressee unknown. *See* Exhibit 1 at 2.
- 5. The Secretary mailed the OIP to respondent Caleminder Inc., CIK 1611019 ("CMND"), via Priority Mail Express, Tracking No. EF 200269305 US, to the address shown on its most recent EDGAR filing at 10161 Park Run Drive, Suite 150, Las Vegas, NV 89145. This address is taken from CMND's last filing with the Commission, which was a Form 8-K filed with the Commission on July 6, 2017. The USPS tracking system

<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.

confirms that delivery was attempted on August 8, 2019, but was returned as "Forward Expired" with addressee unknown. *See* Exhibit 1 at 5.

- 6. The Secretary mailed the OIP to respondent Extreme Energy Solutions Inc., CIK 1672887 ("Extreme Energy"), via Priority Mail Express, Tracking No. EF 200269314 US, to the address shown on its most recent EDGAR filing at 610 Route County 1, Suite 2E, Pine Island, NY 10969. This address is taken from Extreme Energy's last filing with the Commission, which was a Form 8-K filed with the Commission on September 1, 2017. The USPS tracking system confirms that delivery was attempted on August 8, 2019, but was returned as addressee unknown. *See* Exhibit 1 at 8.
- 7. The Secretary mailed the OIP to respondent Hyperfeed Technologies, Inc., CIK 745774 ("Hyperfeed"), via Priority Mail Express, Tracking No. EF 200198856 US, to the address shown on its most recent EDGAR filing at 300 S. Wacker Drive, Suite 300, Chicago, IL 60606. This address is taken from Hyperfeed's last filing with the Commission, which was a Form 8-K filed with the Commission on November 9, 2006. The USPS tracking system confirms that the package was delivered on August 8, 2019. See Exhibit 1 at 10.

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

Executed on September 6, 2019.

Vinyard V Cooke

# EXHIBIT 1

#### Track Another Package +

#### Tracking Number: EF200269291US

Remove X

Your item was delivered at 11:04 am on August 19, 2019 in WASHINGTON, DC 20549 to SEC 20549 R26. The item was signed for by T ALVARADO.

### **⊘** Delivered

August 19, 2019 at 11:04 am Delivered WASHINGTON, DC 20549

**Text & Email Updates** 

Get Updates ✓

#### **Tracking History**

**Proof of Delivery** 

August 19, 2019, 11:04 am

Delivered

WASHINGTON, DC 20549

Your item was delivered at 11:04 am on August 19, 2019 in WASHINGTON, DC 20549 to SEC 20549 R26. The item was signed for by T ALVARADO.

Feedbac

August 19, 2019, 10:25 am Out for Delivery WASHINGTON, DC 20018

August 19, 2019, 10:15 am Arrived at Post Office WASHINGTON, DC 20018

August 18, 2019, 7:29 am
Arrived at USPS Regional Facility
WASHINGTON DC DISTRIBUTION CENTER

August 18, 2019, 6:11 am
Arrived at USPS Regional Facility
SOUTHERN MD DISTRIBUTION CENTER

August 17, 2019, 6:40 pm Insufficient Address GAITHERSBURG, MD 20898

August 13, 2019, 9:38 pm Addressee Unknown BEVERLY HILLS, CA 90210

August 12, 2019, 1:47 pm Addressee Unknown BEVERLY HILLS, CA 90212

August 9, 2019, 12:25 pm Addressee Unknown BEVERLY HILLS, CA 90212

August 8, 2019, 1:56 pm Delivered, In/At Mailbox BEVERLY HILLS, CA 90212 August 8, 2019, 9:42 am Arrived at Post Office WEST HOLLYWOOD, CA 90069

August 8, 2019, 7:33 am
Arrived at USPS Regional Facility
LOS ANGELES CA INTERNATIONAL DISTRIBUTION CENTER

August 7, 2019, 10:21 pm
Departed USPS Regional Facility
LINTHICUM HEIGHTS MD DISTRIBUTION CENTER

August 7, 2019, 8:29 pm
Arrived at USPS Regional Facility
LINTHICUM HEIGHTS MD DISTRIBUTION CENTER

**Product Information** 

See Less ^

### Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

FAQs (https://www.usps.com/faqs/uspstracking-faqs.htm)

Feedback

#### Track Another Package +

Tracking Number: EF200269305US

Remove X

Your item was delivered at 7:31 am on August 12, 2019 in WASHINGTON, DC 20549 to SEC 20549 R26. The item was signed for by D HANDEN.

### **Delivered**

August 12, 2019 at 7:31 am Delivered WASHINGTON, DC 20549

Get Updates ✓

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Text & Email Updates

**V** 

**Proof of Delivery** 

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**Tracking History** 

August 12, 2019, 7:31 am

Delivered

WASHINGTON, DC 20549

Your item was delivered at 7:31 am on August 12, 2019 in WASHINGTON, DC 20549 to SEC 20549 R26. The item was signed for by D HANDEN.

August 10, 2019, 12:11 pm Available for Pickup WASHINGTON, DC 20549

August 10, 2019, 11:13 am Arrived at Post Office WASHINGTON, DC 20018

August 10, 2019, 9:59 am Available for Pickup WASHINGTON, DC 20549

August 10, 2019, 7:59 am
Arrived at USPS Regional Facility
WASHINGTON DC V STREET DISTRIBUTION CENTER

August 9, 2019
In Transit to Next Facility

August 9, 2019, 7:12 am
Departed USPS Regional Facility
LAS VEGAS NV DISTRIBUTION CENTER

August 8, 2019, 7:53 pm
Arrived at USPS Regional Facility
LAS VEGAS NV DISTRIBUTION CENTER

August 8, 2019, 11:23 am Forward Expired LAS VEGAS, NV 89145

August 8, 2019, 9:19 am Arrived at Post Office LAS VEGAS, NV 89134 August 8, 2019, 7:05 am Arrived at USPS Facility LAS VEGAS, NV 89128

August 7, 2019, 10:21 pm
Departed USPS Regional Facility
LINTHICUM HEIGHTS MD DISTRIBUTION CENTER

August 7, 2019, 8:29 pm
Arrived at USPS Regional Facility
LINTHICUM HEIGHTS MD DISTRIBUTION CENTER

**Product Information** 

See Less ^

Feedback

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FAQs (https://www.usps.com/faqs/uspstracking-faqs.htm)

#### Track Another Package +

Tracking Number: EF200269314US

Remove X

Your item was delivered at 7:12 am on August 19, 2019 in WASHINGTON, DC 20549 to SEC 20549 R26. The item was signed for by D HANDON.

### **⊘** Delivered

August 19, 2019 at 7:12 am Delivered WASHINGTON, DC 20549

Get Updates ✓

Text & Email Updates

Proof of Delivery

Tracking History

August 19, 2019, 7:12 am

Delivered

WASHINGTON, DC 20549

Your item was delivered at 7:12 am on August 19, 2019 in WASHINGTON, DC 20549 to SEC 20549 R26. The item was signed for by D HANDON.

Exhibit 1, Page 7

August 18, 2019, 11:03 am Available for Pickup WASHINGTON, DC 20549

August 18, 2019, 10:09 am Arrived at Hub WASHINGTON, DC 20018

August 18, 2019, 5:53 am

Arrived at USPS Regional Facility

WASHINGTON DC DISTRIBUTION CENTER

August 17, 2019 In Transit to Next Facility

August 16, 2019, 7:02 pm
Arrived at USPS Regional Facility
JERSEY CITY NJ NETWORK DISTRIBUTION CENTER

August 16, 2019, 10:33 am Addressee Unknown PINE ISLAND, NY 10969

August 16, 2019, 10:32 am Unclaimed/Being Returned to Sender PINE ISLAND, NY 10969

August 13, 2019, 9:58 am Available for Pickup PINE ISLAND, NY 10969

August 8, 2019, 2:38 pm Available for Pickup PINE ISLAND, NY 10969 August 8, 2019, 1:18 pm Arrived at Post Office PINE ISLAND, NY 10969

August 7, 2019, 10:21 pm
Departed USPS Regional Facility
LINTHICUM HEIGHTS MD DISTRIBUTION CENTER

August 7, 2019, 8:29 pm Arrived at USPS Regional Facility LINTHICUM HEIGHTS MD DISTRIBUTION CENTER

Product Information

See Less

# Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

FAQs (https://www.usps.com/faqs/uspstracking-faqs.htm)

#### Track Another Package +

Tracking Number: EF200198856US

Remove X

Your item was delivered at 1:03 pm on August 8, 2019 in CHICAGO, IL 60606 to SEC 20549 R26. Waiver of signature was exercised at time of delivery.

### **⊘** Delivered

August 8, 2019 at 1:03 pm Delivered CHICAGO, IL 60606

Get Updates ✓

Text & Email Updates

 $\checkmark$ 

**Proof of Delivery** 

Λ

Tracking History

August 8, 2019, 1:03 pm

Delivered

CHICAGO, IL 60606

Your item was delivered at 1:03 pm on August 8, 2019 in CHICAGO, IL 60606 to SEC 20549 R26. Waiver of signature was exercised at time of delivery.

August 8, 2019, 9:11 am Available for Pickup CHICAGO, IL 60606

August 8, 2019, 5:40 am
Arrived at USPS Regional Facility
CHICAGO IL INTERNATIONAL DISTRIBUTION CENTER

August 7, 2019, 10:21 pm
Departed USPS Regional Facility
LINTHICUM HEIGHTS MD DISTRIBUTION CENTER

August 7, 2019, 8:29 pm
Arrived at USPS Regional Facility
LINTHICUM HEIGHTS MD DISTRIBUTION CENTER

**Product Information** 

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See Less ^

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Go to our FAQs section to find answers to your tracking questions.

FAQs (https://www.usps.com/faqs/uspstracking-faqs.htm)