

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

**ADMINISTRATIVE PROCEEDING**  
**File No. 3-19640**

<p><b>In the Matter of</b></p> <p><b>Danka Business Systems PLC,</b></p> <p><b>Respondent.</b></p>
--

**DIVISION OF ENFORCEMENT'S MOTION FOR**  
**DEFAULT AND BRIEF IN SUPPORT**

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 Danka Business Systems PLC (“Danka” or “Respondent”) (CIK No. 894010) in this proceeding and ordering the revocation of the registration of each class of Respondent’s securities registered pursuant to Section 12 of the Securities Exchange Act of 1934 (“Exchange Act”).

**Argument**

On January 9, 2020, the Commission issued an Order Instituting Proceedings (“OIP”) against Respondent which has securities registered with the Commission under Section 12(g) of the Exchange Act. The OIP alleges the Respondent is delinquent in filing its mandated periodic reports. Because Respondent failed to answer or otherwise respond to the OIP, the Division now seeks entry of an order finding Respondent 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) establishes that on January 13, 2020, service upon Danka of 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 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). Danka’s answer to the OIP was due by Monday, January 27, 2020. However, Danka has neither filed an answer nor made any other response to the OIP in this proceeding.

The Respondent at issue is delinquent in its filings with the Commission and has been delinquent for over two years. In addition, the Respondent’s failure to answer supports revocation of the registration of each class of the Respondent’s securities. Accordingly, the Division moves for an order, pursuant to Rule 155(a)(2), finding Respondent to be in default in this proceeding and ordering that the registration of each class of its 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 Danka Business Systems PLC; and 3) revoke the registration of each class of its securities registered pursuant to Section 12 of the Exchange Act.

Dated: December 17, 2020

Respectfully submitted,

*Gina Joyce*

---

David Misler (202) 551-2210  
Gina Joyce (202) 551-4850  
Securities and Exchange Commission  
100 F Street, N.E., Room 5120  
Washington, D.C. 20549-5010

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 17th day of December, 2020, in the manner indicated below:

By Email:

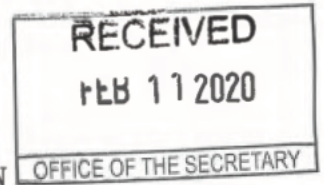
Office of the Secretary  
Securities and Exchange Commission  
100 F Street, N.E.  
Washington, D.C. 20549-2557

By UPS:

Danka Business Systems PLC  
270 1st Avenue South  
Suite 305  
St. Petersburg, FL 33701

*Gina Joyce*  
\_\_\_\_\_  
Gina Joyce

UNITED STATES OF AMERICA  
Before the  
SECURITIES AND EXCHANGE COMMISSION



ADMINISTRATIVE PROCEEDING  
File No. 3-19640

In the Matter of  
  
Danka Business Systems,  
  
Respondent.

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

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

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 respondent in the captioned proceedings pursuant to Rule 141(a)(3).

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 Respondent via U.S. Priority Mail Express. The Office of the Secretary provided me with the U.S. Priority Mail Express tracking number for the copy of the Order Instituting Proceedings (“OIP”)<sup>1</sup> that was mailed by the Secretary to the respondent in these proceedings. I input the tracking number into the U.S. Postal Service’s (“USPS”) package tracking system on its Internet website located at [www.usps.com](http://www.usps.com), and printed out the tracking confirmation in order to obtain confirmation of the delivery or attempted delivery of the OIP on the respondent. A true copy of the tracking confirmation for the respondent for whom express mail service was attempted is attached as Exhibit 1, hereto.

The Secretary mailed the OIP to respondent Danka Business Systems PLC, CIK 894010 (“Danka Business Systems”), via Priority Mail Express, Tracking No. ER 006858976 US, to the address shown on its most recent EDGAR filing at 270 1st Avenue South, Suite 305, St. Petersburg, FL 33701. This address is taken from Danka Business Systems’s last filing with the Commission, which was a Form 8-K filed with the Commission on Aug. 10, 2010. The USPS tracking system confirms that delivery was attempted on January 11 and 13, 2020. On January 11, there was no access to the


---

<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.

delivery location. On January 13, it was determined that there was no such number. The package was returned to the SEC.. See Exhibit 1 at pp. 1 - 3.

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

Executed on February 11, 2020.

  
Gina Joyce

## Track Another Package +

**Tracking Number:** ER006858976US

[Remove X](#)

Your item was delivered at 11:31 am on January 15, 2020 in WASHINGTON, DC 20549 to SEC 20549 R26. The item was signed for by C RIOS.

### **Delivered**

January 15, 2020 at 11:31 am  
Delivered  
WASHINGTON, DC 20549

Feedback

**Get Updates** 

---

**Text & Email Updates**



---

**Proof of Delivery**



---

**Tracking History**



**January 15, 2020, 11:31 am**

Delivered

WASHINGTON, DC 20549

Your item was delivered at 11:31 am on January 15, 2020 in WASHINGTON, DC 20549 to SEC 20549 R26. The item was signed for by C RIOS.



**January 15, 2020, 11:05 am**

Out for Delivery

WASHINGTON, DC 20018

---

**January 15, 2020, 10:54 am**

Arrived at Post Office

WASHINGTON, DC 20018

---

**January 15, 2020, 8:17 am**

Arrived at USPS Regional Facility

WASHINGTON DC V STREET DISTRIBUTION CENTER

---

**January 14, 2020, 9:46 pm**

Departed USPS Regional Facility

TAMPA FL DISTRIBUTION CENTER

---

**January 14, 2020, 5:10 pm**

No Such Number

SAINT PETERSBURG, FL 33701

---

**January 13, 2020, 9:48 am**

No Such Number

SAINT PETERSBURG, FL 33701

---

**January 11, 2020, 11:19 am**

Delivery Attempted - No Access to Delivery Location

33701

---

**January 11, 2020, 10:56 am**

Arrived at Post Office

SAINT PETERSBURG, FL 33701

---

**January 11, 2020, 8:28 am**

Arrived at USPS Regional Facility

TAMPA FL DISTRIBUTION CENTER

---

Feedback

**January 10, 2020, 10:54 pm**  
Departed USPS Regional Facility  
LINTHICUM HEIGHTS MD DISTRIBUTION CENTER

---

**January 10, 2020, 7:33 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**

Feedback