

**S OF AMERICA
re the
HANGE COMMISSION**

**ADMINISTRATIVE PROCEEDING
File No. 3-21011**

In the Matter of

KARINA CHAIREZ

Respondent.

**SECURITIES AND EXCHANGE
COMMISSION'S FOURTH STATUS
REPORT REGARDING SERVICE**

Pursuant to the June 23, 2023 Order in this matter, the Division of Enforcement of the Securities and Exchange Commission ("Division") submits this Fourth Status Report regarding service on Karina Chairez ("Respondent" or "Chairez").

This administrative action against Chairez pursuant to Section 15(b) of the Securities Exchange Act of 1934 was instituted on August 26, 2022. The Secretary's Office served the Order Instituting Proceedings ("OIP") by U.S. Postal Service Certified Mail to Chairez's last known address in Modesto, CA on August 29, 2022. However, based on the U.S. Postal Service online tracking application, the envelope containing the OIP was returned to the Secretary's office as undeliverable on September 26, 2022.

Subsequently, the Division engaged Cavalier Courier & Process Service ("CCPS") to locate and personally serve Chairez with the OIP. The process servers have been familiar with several addresses associated with Chairez, her family members and associates, dating back to

December 2020 when they served her in a different matter, *United States Securities and Exchange Commission v. Karina Chairez*, Case No. 1:20-CV-10582 in the Southern District of New York. CCPS diligently located several new addresses associated with Chairez and even conducted surveillance to locate Chairez personally. However despite efforts to personally serve the instant OIP, CCPS was only able to substitute serve Chairez's father who denied Chairez lived at that location. The Commission determined this substitute service as reflected in the Division's status reports of December 15, 2022 and January 19, 2023 did not constitute proper service pursuant to the Commission's Rules of Practice.


Thus, on February 28, 2023 a Third Order Regarding Service instructed the Division to file another proof of service by March 28, 2023, with supporting facts that determined Chairez resided at the address where substitute service was made. Though the Division did not obtain any additional information from its process server as to that attempt, through inadvertent error, the Division failed to appropriately calendar the due date and thus did not timely file its Third Status Report Regarding Service. However, at all times the Division has been diligently monitoring alternative means to adequately serve Chairez and expected to have successfully done so this month. Those efforts could not come to fruition through no fault of the Division. The Division continues to seek alternatives to establish either where Chairez resides or by locating her whereabouts. However, because it appears that Chairez is evading service attempts, the Division will not outline the details of our attempts and future plans for service in this Status Report.

However, in a parallel criminal matter, *U.S. v. Gutemberg Dos Santos et al.*, 20 Cr. 398 (GBD) (Airbit Club), in the Southern District of New York, Chairez is scheduled to be sentenced on September 26, 2023 in front of District Court Judge George B. Daniels. (Dkt. No. 208).

The Division will comply with the Order to file a status report concerning service every 28 days and expects to perfect service in less than 60 days.

Dated: August 18, 2023

Respectfully submitted,



Kathryn C. Wanner
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In the Matter of Karina Chairez
Administrative Proceedings File No. 3-21011

SERVICE LIST

Pursuant to Commission Rule of Practice 151 (17 C.F.R. §201.151), I certify that the attached:

SECURITIES AND EXCHANGE COMMISSION'S FOURTH STATUS REPORT REGARDING SERVICE

was served on August 18, 2023, upon the following parties as follows:

By eFAP

Vanessa Countryman, Secretary
Securities and Exchange Commission
100 F. Street, N.E., Mail Stop 1090
Washington, DC 20549-1090

By US Mail

Karina Chairez

[REDACTED]
Ceres, CA [REDACTED]

Dated: August 18, 2023

[REDACTED]
Kathryn C. Wanner