

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

ADMINISTRATIVE PROCEEDING
File No. 3-21890

In the Matter of

Gene Biotherapeutics, Inc.
(f/k/a Taxus Cardium Pharmaceuticals
Group, Inc.),

Respondent.

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 Respondent 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 Respondent via Certified Mail..

3. The Office of the Secretary provided me with the Certified Mail tracking number for the copy of the Order Instituting Proceedings (“OIP”)¹ that was mailed by the Secretary to the Respondent in these proceedings. I input the tracking number into the package tracking system of the U.S. Postal Service (“USPS”) on its Internet website located at 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 on which Certified Mail service was attempted is attached as Exhibit 1, hereto.

4. The Secretary mailed the OIP to Respondent Gene Biotherapeutics, Inc. (f/k/a Taxus Cardium Pharmaceuticals Group, Inc.), CIK 772320 (“CRXM”), via Certified Mail, Tracking No. 7016 0910 0001 6656 0156, to the address shown on its most recent EDGAR filing at 11230 Sorrento Valley Rd., Suite 220, San Diego, California 92121. This address is taken from CRXM’s last filing with the Commission, which was a Form 10-K/A filed with the Commission on April 14, 2022. The USPS tracking system confirms that there was no attempted delivery of the OIP package, but the package was returned to the SEC. *See* Exhibit 1.

5. On March 26, 2024, I requested that the Commission’s Mailroom send the OIP package to CRXM by Priority Mail Express, and provide me with the tracking label.

¹ Each service package included the OIP and a letter from the Commission’s Secretary.

A true copy of the Priority Mail Express tracking label is attached hereto as Exhibit 2.

Exhibit 2 shows that the Priority Mail Express Tracking number is EJ 435 624 855 US.

6. The USPS tracking system confirms that the OIP package was delivered in/at mailbox on March 27, 2024. A true copy of the tracking confirmation is attached as Exhibit 3, hereto.

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

Executed on April 4, 2024.

/s/ Gina Joyce
Gina Joyce

CERTIFICATE OF SERVICE

I hereby certify that I caused true copies of the Division of Enforcement's Declaration of Gina Joyce to Assist Secretary with Record of Service, and Exhibit thereto, to be served on the following on April 4, 2024, in the manner indicated below:

Via eFap:

Office of the Secretary

By UPS:

Gene Biotherapeutics, Inc.
(f/k/a Taxus Cardium Pharmaceuticals Group, Inc.)
11230 Sorrento Valley Rd., Suite 220
San Diego, California 92121

/s/ Gina Joyce
Gina Joyce