

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 92277 / June 28, 2021

Admin. Proc. File No. 3-19922

In the Matter of DIGILITI MONEY GROUP, INC.
--

SECOND SUPPLEMENTAL ORDER REGARDING SERVICE

The Securities and Exchange Commission (“Commission”) issued an Order Instituting Proceedings (“OIP”) on August 24, 2020, pursuant to Section 12(j) of the Securities Exchange Act of 1934, against respondent Digiliti Money Group, Inc. (“Respondent”).¹ On April 19, 2021, the Commission issued an Order Regarding Service.² The order directed the Division of Enforcement to file a status report concerning service of the OIP by May 3, 2021, and every 28 days thereafter until service is accomplished.³ On May 27, 2021, the Commission issued a Supplemental Order Regarding Service, noting that the Division had not filed a status report or otherwise responded to the April 19 order.⁴ The order directed the Division to file a status report concerning service of the OIP by June 10, 2021, and every 28 days thereafter until service is accomplished.⁵

On June 10, 2021, the Division filed a status report stating that UPS twice attempted to deliver a copy of the OIP to Respondent’s “last known business address as reported in its most recent SEC filings.” However, the Commission’s Rules of Practice do not authorize service of an OIP by sending it through UPS or another commercial courier; rather, they require that, if a

¹ *Digiliti Money Grp., Inc.*, Exchange Act Release No. 89644, 2020 WL 5038543 (Aug. 24, 2020).

² *Digiliti Money Grp., Inc.*, Exchange Act Release No. 91611, 2021 WL 1534727 (Apr. 19, 2021).

³ *Id.* at *1.

⁴ *Digiliti Money Grp., Inc.*, Exchange Act Release No. 92059, 2021 WL 2182242 (May 27, 2021).

⁵ *Id.* at *1.

copy of the OIP is sent, it be sent “by U.S. Postal Service.”⁶ Furthermore, the status report states that the address used was 18671 Lake Drive East, Chanhassen, MN 55317, but that address appears to conflict with the address listed in Respondent’s most recent filing with the Commission, 18671 Lake Drive East, dellFive Business Park G, Minneapolis, MN 55317. The Division should clarify whether the address it is using to serve Respondent is “the most recent address shown on the entity’s most recent filing with the Commission”⁷

Accordingly, it is ORDERED that the Division file a status report concerning service of the OIP on Respondent by July 12, 2021, and every 28 days thereafter until service is accomplished. The parties’ attention is called to the Commission’s March 18, 2020 order regarding the filing and service of papers, which provides that pending further order of the Commission parties to the extent possible shall submit all filings electronically at apfilings@sec.gov.⁸ Also, the Commission’s Rules of Practice were recently amended to include new e-filing requirements, which took effect on April 12, 2021.⁹

For the Commission, by the Office of the General Counsel, pursuant to delegated authority.

Vanessa A. Countryman
Secretary

⁶ See Rule of Practice 141(a)(2)(ii), 17 C.F.R. § 201.141(a)(2)(ii); cf. *Gary Edward Haynes*, Investment Advisers Act Release No. 5692, 2021 WL 763945, at *1 (Feb. 26, 2021) (noting that the “Rules of Practice do not authorize service of an OIP by sending it through a commercial courier service or express delivery service”).

⁷ Rule of Practice 141(a)(2)(ii), 17 C.F.R. § 201.141(a)(2)(ii).

⁸ See *Pending Administrative Proceedings*, Exchange Act Release No. 88415, <https://www.sec.gov/litigation/opinions/2020/33-10767.pdf>.

⁹ *Amendments to the Commission’s Rules of Practice*, 85 Fed. Reg. 86,464, 86,474 (Dec. 30, 2020); see also *Amendments to the Commission’s Rules of Practice*, Exchange Act Release No. 90442, 2020 WL 7013370 (Nov. 17, 2020); *Instructions for Electronic Filing and Service of Documents in SEC Administrative Proceedings and Technical Specifications*, <https://www.sec.gov/efapdocs/instructions.pdf>. The amendments also impose other obligations on parties to administrative proceedings such as a new redaction and omission of sensitive personal information requirement. *Amendments to the Commission’s Rules of Practice*, 85 Fed. Reg. at 86,465–81.