

UNITED STATES OF AMERICA  
before the  
SECURITIES AND EXCHANGE COMMISSION

INVESTMENT ADVISERS ACT OF 1940  
Release No. 5891 / October 18, 2021

Admin. Proc. File No. 3-19733

In the Matter of  
NICHOLAS J. GENOVESE

ORDER REGARDING SERVICE

The Securities and Exchange Commission (“Commission”) issued an order instituting administrative proceedings (“OIP”) on March 24, 2020, pursuant to Section 203(f) of the Investment Advisers Act of 1940, against Nicholas J. Genovese.<sup>1</sup>

On July 15, 2021, the Commission issued an order directing that the Division of Enforcement provide proof that the OIP was served on Genovese by filing a declaration of service attaching such proof by August 12, 2021.<sup>2</sup> To date, the Division has not filed a declaration of service.

Accordingly, it is ORDERED that, if the Division has obtained proof of service, it file a declaration attaching such proof by November 1, 2021; and, if the Division has not obtained proof of service, it file a status report concerning service of the OIP by November 1, 2021, and every 28 days thereafter until it obtains such proof.

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<sup>1</sup> *Nicholas J. Genovese*, Advisers Act Release No. 5468, 2020 WL 1433033 (Mar. 24, 2020); *see* 15 U.S.C. § 80b-3(f).

<sup>2</sup> *Nicholas J. Genovese*, Advisers Act Release No. 5778, 2021 WL 2987125 (July 15, 2021).

The parties' attention is directed to the most recent amendments of the Commission's Rules of Practice, which took effect on April 12, 2021, and which include new e-filing requirements.<sup>3</sup>

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

Vanessa A. Countryman  
Secretary

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<sup>3</sup> *Amendments to the Commission's Rules of Practice*, Exchange Act Release No. 90442, 2020 WL 7013370 (Nov. 17, 2020), 85 Fed. Reg. 86,464, 86,474 (Dec. 30, 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 impose other obligations 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.