

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 95317 / July 19, 2022

Admin. Proc. File No. 3-20407

In the Matter of

EXECUTIVE FINANCIAL SERVICES, INC.

SECOND ORDER REGARDING SERVICE

The Securities and Exchange Commission (“Commission”) issued an order instituting administrative proceedings (“OIP”) on July 21, 2021, pursuant to Section 15(b) of the Securities Exchange Act of 1934, against Executive Financial Services, Inc. (“Respondent”).¹ On April 29, 2022, the Division of Enforcement filed a Status Report and Request for Briefing Schedule representing that the OIP was served on Respondent “by U.S. Postal Mail” and attaching a copy of a return receipt showing that the OIP was mailed to Respondent directly.

Where, as here, the respondent is not an issuer registered with the Commission, service may be effected by “delivering a copy of the order instituting proceedings to an officer, managing or general agent, or any other agent authorized by appointment or law to receive such notice, by any method specified in [Rule of Practice 141(a)(2)(i)].”² The Division’s status report shows only that the OIP was sent to the Respondent directly, not to one of the individuals specified in Rule 141(a)(2)(ii). Nor does the Division’s status report reflect which class of postal service was used for service by mail as required by Rule of Practice 141(a)(2)(i).³

To assist the Office of the Secretary in maintaining a record of service that establishes that the OIP has been properly served,⁴ IT IS ORDERED that the Division of Enforcement file a status report clarifying to whom the OIP was delivered and the method of service by August 2, 2022, and every 28 days thereafter until service is accomplished.

¹ *Executive Fin. Servs., Inc.*, Exchange Act Release No. 92463, 2021 WL 3110025 (July 21, 2021).

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

³ Rule of Practice 141(a)(2)(i), 17 C.F.R. § 201.141(a)(2)(i) (permitting service of an OIP to an individual by “sending a copy of the order addressed to the individual by U.S. Postal Service certified, registered, or express mail and obtaining confirmation of receipt”).

⁴ *See* Rule of Practice 141(a)(3), 17 C.F.R. § 201.141(a)(3).

The parties' attention is directed to the most recent amendments to the Commission's Rules of Practice, which took effect on April 12, 2021, and which include new e-filing requirements.⁵

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

Vanessa A. Countryman
Secretary

⁵ *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), <https://www.sec.gov/rules/final/2020/34-90442a.pdf>; *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.