

UNITED STATES OF AMERICA  
before the  
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934  
Release No. 96155 / October 25, 2022

INVESTMENT ADVISERS ACT OF 1940  
Release No. 6175 / October 25, 2022

Admin. Proc. File No. 3-20874

In the Matter of  
  
RICHARD G. DUNCAN

ORDER GRANTING EXTENSION OF TIME

The Securities and Exchange Commission (“Commission”) issued an order instituting administrative proceedings (“OIP”) on June 2, 2022, pursuant to Section 15(b) of the Securities Exchange Act of 1934 and Section 203(f) of the Investment Advisers Act of 1940, against Richard G. Duncan (“Respondent”).<sup>1</sup> Because it appeared that there had been no other filings in the proceeding since issuance of the OIP, including as to whether the OIP was served on Respondent, we directed the Division of Enforcement to file a status report concerning service of the OIP on October 26, 2022, and every 28 days thereafter until service was accomplished.<sup>2</sup>

On October 19, 2022, the Division filed a status report reciting its unsuccessful efforts to serve Respondent, including attempting to serve Respondent by mail and by personal service at three addresses. The Division further represented that it needed additional time to confirm Respondent’s address or otherwise locate him in order to serve him with the OIP. The Division therefore requested an extension of time to file its next status report. Under the circumstances, it appears appropriate to grant the Division’s motion for good cause shown.<sup>3</sup>

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<sup>1</sup> *Richard G. Duncan*, Exchange Act Release No. 95023, 2022 WL 1905180 (June 2, 2022); *see* 15 U.S.C. §§ 78o(b), 80b-3(f).

<sup>2</sup> *Richard G. Duncan*, Exchange Act Release No. 96036, 2022 WL 7145360 (Oct. 12, 2022); *see also* *Richard G. Duncan*, Exchange Act Release No. 95591, 2022 WL 3703810 (Aug. 24, 2022).

<sup>3</sup> 17 C.F.R. § 201.161.

Accordingly, it is ORDERED that the Division of Enforcement file a status report concerning service of the OIP by January 9, 2023, and every 28 days thereafter until service is accomplished.

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 e-filing requirements.<sup>4</sup>

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

Vanessa A. Countryman  
Secretary

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<sup>4</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), <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 redaction and omission of sensitive personal information requirement. *Amendments to the Commission's Rules of Practice*, 85 Fed. Reg. at 86,465–81.