

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 96424 / December 1, 2022

Admin. Proc. File No. 3-20086

In the Matter of

GARY EDWARD HAYNES

ORDER REGARDING SERVICE OF AMENDED ORDER INSTITUTING
ADMINISTRATIVE PROCEEDINGS

On September 28, 2020, the Securities and Exchange Commission issued an order instituting administrative proceedings (“OIP”) against Gary Edward Haynes pursuant to Section 203(f) of the Investment Advisers Act of 1940.¹ On October 21, 2022, the Commission granted the Division of Enforcement’s motion to amend the OIP to correct an error.² The order provided that service of it and the amended OIP would be made consistent with Rule of Practice 141(a).³ In addition, the order required the Division, after service of the amended OIP, to promptly file with the Office of the Secretary a record of service consistent with Rule of Practice 141(a)(3).⁴

It appears that there have been no filings in this proceeding since issuance of the amended OIP, including as to whether the amended OIP was served upon Haynes. To assist the Office of the Secretary in maintaining a record of service that establishes that the amended OIP has been properly served,⁵ IT IS ORDERED that the Division of Enforcement file a status report concerning service of the amended OIP by December 15, 2022, and every 28 days thereafter until service is accomplished.

¹ *Gary Edward Haynes*, Advisers Act Release No. 5597, 2020 WL 5766754 (Sept. 28, 2020).

² *Gary Edward Haynes*, Advisers Act Release No. 6172, 2022 WL 13566113 (Oct. 21, 2022).

³ 17 C.F.R. § 201.141(a); *Haynes*, 2022 WL 13566113, at *1.

⁴ 17 C.F.R. § 201.141(a)(3); *Haynes*, 2022 WL 13566113, at *1.

⁵ *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 e-filing requirements.⁶

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

Vanessa A. Countryman
Secretary

⁶ *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. And the amendments provide further requirements if a person cannot reasonably comply with the electronic filing requirements due to lack of access to electronic transmission devices. *Id.* at 86,478-79.