

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

INVESTMENT ADVISERS ACT OF 1940
Release No. 6170 / October 17, 2022

Admin. Proc. File No. 3-20928

In the Matter of

RICHARD GEARHART

ORDER REGARDING SERVICE

The Securities and Exchange Commission (“Commission”) issued an order instituting administrative proceedings (“OIP”) on July 7, 2022, pursuant to Section 203(f) of the Investment Advisers Act of 1940, against Richard Gearhart.¹ It appears that there have been no filings in this proceeding since issuance of the OIP, including as to whether the OIP was served upon Gearhart. To assist the Office of the Secretary in maintaining a record of service that establishes that the OIP has been properly served,² IT IS ORDERED that the Division of Enforcement file a status report concerning service of the OIP by October 31, 2022, 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 new e-filing requirements.³

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

Vanessa A. Countryman
Secretary

¹ *Richard Gearhart*, Advisers Act Release No. 6064, 2022 WL 2531752 (July 7, 2022).

² *See* Rule of Practice 141(a)(3), 17 C.F.R. § 201.141(a)(3).

³ *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.