

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 99202 / December 18, 2023

Admin. Proc. File No. 3-21694

In the Matter of
THE DOCS, INC.

ORDER DIRECTING DIVISION OF ENFORCEMENT TO FILE STATUS REPORT
REGARDING SERVICE

On September 21, 2023, the Securities and Exchange Commission issued an order instituting proceedings (“OIP”) against THE DOCS, INC. (“Respondent”) pursuant to Section 12(j) of the Securities Exchange Act of 1934.¹ Respondent was properly served with the OIP on October 2, 2023, pursuant to Commission Rule of Practice 141(a)(2)(ii),² but did not answer it. However, on October 10, 2023, Respondent filed a Form 15, seeking to terminate the registration of its securities under Exchange Act Section 12(g). A Form 15 generally takes effect 90 days after it is filed, meaning that the Form 15 Respondent filed on October 10, 2023, would become effective on January 8, 2024.³

On November 7, 2023, more than 30 days after service, the Commission ordered Respondent to show cause by November 21, 2023, why the Commission should not find it in default due to its failure to file an answer or otherwise defend this proceeding.⁴ The show cause order warned Respondent that, if the Commission found it to be default, the allegations in the OIP would be deemed to be true and the Commission could determine the proceeding against it upon consideration of the record.

¹ *THE DOCS, INC.*, Exchange Act Release No. 98469, 2023 WL 6194847 (Sept. 21, 2023).

² 17 C.F.R. § 201.141(a)(2)(ii).

³ 15 U.S.C. § 78l(g)(4); 17 C.F.R. § 240.12g-4; *see also* 15 U.S.C. § 78l(g)(4) (providing that a Form 15 will not become effective 90 days after its filing if the Commission institutes proceedings to deny termination of registration on the basis that the information required to be certified on the Form 15 is untrue).

⁴ *THE DOCS, INC.*, Exchange Act Release No. 98872, 2023 WL 7379485 (Nov. 7, 2023).

On December 15, 2023, the Division of Enforcement filed a motion to expedite the proceeding, find Respondent in default, and revoke the registration of its securities before the Form 15 becomes effective. The certificate of service attached to the motion states that the motion was “served” on Respondent by “UPS” on December 15, 2023. However, the certificate does not specify whether the motion was delivered to Respondent or sent to Respondent on that date. We therefore are unable to determine whether service of the motion upon Respondent is complete.⁵

Accordingly, it is ORDERED that by December 20, 2023, the Division shall file a status report clarifying whether and when the motion was delivered to Respondent and providing the UPS tracking information for service of the motion.

The parties’ attention is directed to the e-filing requirements in the Rules of Practice.⁶ We also remind the parties that any document filed with the Commission must be served upon all participants in the proceeding and be accompanied by a certificate of service.⁷

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

Vanessa A. Countryman
Secretary

⁵ See Rule of Practice 150(e), 17 C.F.R. § 201.150(e) (providing that “service by . . . express delivery service is complete upon delivery”).

⁶ See *Amendments to the Commission’s Rules of Practice*, Exchange Act Release No. 90442, 2020 WL 7013370 (Nov. 17, 2020), 85 Fed. Reg. 86,464 (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.

⁷ See Rule of Practice 150, 17 C.F.R. § 201.150 (generally requiring parties to serve each other with their filings); Rule of Practice 151(d), 17 C.F.R. § 201.151(d) (“Papers filed with the Commission . . . shall be accompanied by a certificate stating the name of the person or persons served, the date of service, the method of service, and the mailing address or email address to which service was made, if not made in person.”).