

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 91018 / January 29, 2021

Admin. Proc. File No. 3-19444

In the Matter of

AURUM, INC. AND ECOSPHERE
TECHNOLOGIES, INC.

ORDER TO SHOW CAUSE AS TO AURUM, INC.

The Securities and Exchange Commission (“Commission”) issued an Order Instituting Proceedings (“OIP”) on September 12, 2019, pursuant to Section 12(j) of the Securities Exchange Act of 1934, against Aurum, Inc. (“Respondent”).¹

On October 29, 2019, the Division of Enforcement filed a motion for an order entering a default against Respondent and revoking the registration of its securities. The motion included a Declaration of Charles Davis, which stated that, pursuant to Rule 141(a)(2)(ii) of the Commission’s Rules of Practice,² service of the OIP was made by mail on Respondent in Victoria, Australia on September 29, 2019. Although the declaration did not state what steps the Division had taken to ensure that there was valid service of the OIP on Aurum in the Australian state of Victoria, and the Division did not respond to our November 18, 2020 order seeking

¹ *Aurum, Inc.*, Exchange Act Release No. 86954, 2019 WL 5339810 (Sept. 12, 2019).

² 17 C.F.R. § 201.141(a)(2)(ii).

supplemental information on service,³ we have independently determined that service by mail to Respondent was permissible.⁴

As stated in the OIP, Respondent's answer was required to be filed within ten days of service of the OIP.⁵ As of the date of this order, Respondent has not filed an answer. The prehearing conference and the hearing are thus continued indefinitely.

Accordingly, Respondent is ORDERED to SHOW CAUSE by February 12, 2021, why the registration of its securities should not be revoked by default due to its failure to file an answer and to otherwise defend this proceeding. When a party defaults, the allegations in the OIP will be deemed to be true and the Commission may determine the proceeding against that party upon consideration of the record without holding a public hearing.

If Respondent fails to respond to this order to show cause, it may be deemed in default, the proceeding may be determined against it, and its securities may be revoked.⁶ Upon review of the filings in response to this order, the Commission will either direct further proceedings by subsequent order or issue a final order resolving the matter.

³ *Aurum, Inc.*, Exchange Act Release No. 90452, 2020 WL 6797345, at *1 n.3 (Nov. 18, 2020).

⁴ 17 C.F.R. § 201.141(a)(2)(ii), (iv); *see Waraich v. Nat'l Australia Bank Ltd.*, No. H-18-4069, 2019 WL 1003625, at *3 (S.D. Tex. Feb. 28, 2019) (“Australia ‘does not object to service by postal channels, where it is permitted in the jurisdiction in which the process is to be served.’”) (quoting webpage of the Hague Conference on Private International Law website, <https://www.hcch.net/en/states/authorities/details3/?aid=878> (last visited Jan. 29, 2021)); *Stafford v. Grifols Int'l S.A.*, No. 1:18-CV-321, 2019 WL 3521957, at *3 n.5 (N.D. Ga. Feb. 25, 2019) (also citing to Hague Conference website for proposition that service by mail to an address in an Australian state that permits service by mail is permissible); *see also* Victoria Supreme Court R. 6.07 (providing that service by mail is permissible “[w]here personal service of a document is not required”), available at <https://content.legislation.vic.gov.au/sites/default/files/2020-10/15-103sra036%20authorised.pdf> (last visited Jan. 29, 2021); Magistrate's Court of Victoria: Service of Court Documents, <https://www.mcv.vic.gov.au/civil-matters/service-court-documents> (noting that ordinary service can be effected by “posting the document(s) to be served at that person's address for service” and recommending “that documentation served by post be done by registered mail”) (last visited Jan. 29, 2021).

⁵ Rules of Practice 151(a), 160(b), 220(b), 17 C.F.R. §§ 201.151(a), .160(b), .220(b).

⁶ Rules of Practice 155, 180, 17 C.F.R. § 201.155, .180; *see Aurum, Inc.*, 2019 WL 5339810 (“If Respondents fail to file the directed Answers, . . . [they] may be deemed in default and the proceedings may be determined against them . . .”).

The parties' attention is called to the Commission's March 18, 2020 order regarding the filing and service of papers and stating that pending further order of the Commission parties to the extent possible shall submit all filings electronically at apfilings@sec.gov.⁷

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

Vanessa A. Countryman
Secretary

⁷ See *Pending Administrative Proceedings*, Exchange Act Release No. 88415, 2020 WL 1322001 (Mar. 18, 2020), <https://www.sec.gov/litigation/opinions/2020/33-10767.pdf>.