# UNITED STATES OF AMERICA Before the SECURITIES AND EXCHANGE COMMISSION

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OFFICE OF THE SECRETARY

**ADMINISTRATIVE PROCEEDING**File No. 3-19308

In the Matter of

Artisanal Brands, Inc., et al.,

Respondents.

### DIVISION OF ENFORCEMENT'S MOTION FOR DEFAULT AGAINST DALECO RESOURCES CORPORATION AND BRIEF IN SUPPORT

The Division of Enforcement ("Division"), by counsel, pursuant to Commission Rules of Practice Rules 154(a) and 155(a)(2) ("Rule"), respectfully moves the Securities and Exchange Commission ("Commission") for an order entering default against Daleco Resources Corporation ("Daleco" or "Respondent") in this proceeding and revoking the registration of each class of its securities registered pursuant to Section 12 of the Securities Exchange Act of 1934 ("Exchange Act").

### **Argument**

On August 5, 2019, the Commission issued an Order Instituting Proceedings ("OIP") against the respondents Artisanal Brands, Inc. ("Artisanal")<sup>1</sup> and Daleco (collectively "Respondents"), which both have securities registered with the Commission under Section 12(g) of the Exchange Act. The OIP alleges that both Respondents are delinquent in filing

Artisanal filed an Answer. In response, the Division filed a Motion for Judgment on the Pleadings, which is pending.

their mandated periodic reports. Because Daleco failed to answer or otherwise respond to the OIP, the Division seeks entry of an order finding Daleco to be in default in this proceeding.

The Declaration of Vinyard Cooke to Assist Secretary with Record of Service establishes that each of the Respondents were served with the OIP by actual or attempted Express Mail delivery in accordance with Rule 141(a)(2)(ii). See Exhibit A. In addition to the OIP, the Respondents were also served with a letter offering the Division's investigative file for inspection and copying pursuant to Rule 230. However, Daleco failed to file an answer or make any other response to the OIP in this proceeding.

Respondent is delinquent in its filings with the Commission and has been delinquent for over five years. In addition, Daleco's failure to answer further supports revocation of the registration of each class of its securities. Accordingly, the Division moves for an order, pursuant to Rule 155(a)(2), finding Daleco to be in default in this proceeding and ordering that the registration of each class of its securities registered pursuant to Exchange Act Section 12 be revoked.

#### Conclusion

For the reasons set forth above, the Division respectfully requests that the Commission:

1) grant the Division's Motion; 2) enter an order of default against Daleco Resources

Corporation in this proceeding; and 3) also order the revocation of each class of its securities registered pursuant to Section 12 of the Exchange Act.

Dated: September 30, 2019

Respectfully submitted,

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Securities and Exchange Commission

100 F Street, N.E., Room 5041

Washington, D.C. 20549-5041

COUNSEL FOR

DIVISION OF ENFORCEMENT

### **CERTIFICATE OF SERVICE**

I hereby certify that true copies of the Division of Enforcement's Motion for Default Against Daleco Resources Corporation and Brief in Support were served on the following on this 30<sup>th</sup> day of September, 2019, in the manner indicated below:

By Hand: Office of the Secretary Securities and Exchange Commission 100 F Street, N.E. Washington, D.C. 20549-2557

By Certified Mail: Daleco Resources Corporation 929 South High St., #174 West Chester, PA 19382-5466

James Carlson

# EXHIBIT A

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ADMINISTRATIVE PROCEEDING File No. 3-19308

In the Matter of

Artisanal Brands, Inc., et al.,

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## DECLARATION OF VINYARD COOKE TO ASSIST SECRETARY WITH RECORD OF SERVICE

VINYARD V COOKE, pursuant to 28 U.S.C. § 1746, declares:

- 1. I am a Senior Counsel with the Division of Enforcement ("Division") of the Securities and Exchange Commission, and co-counsel for the Division in the captioned administrative proceeding. I am submitting this Declaration to assist the Secretary in maintaining a record of service on the respondents in the captioned proceedings pursuant to Securities and Exchange Commission ("Commission") Rule of Practice 141(a)(3).
- 2. Among other means, Rule 141(a)(2)(ii) permits service on a corporation or entity by delivering a copy of an Order Instituting Administrative Proceedings ("OIP") to an agent authorized by appointment or law to receive such service or, in the case of an issuer with a class of securities registered with the Commission, by sending the OIP via U.S. Postal Service certified, registered, or Express Mail and obtaining a confirmation of attempted delivery on the most recent address shown on the entity's most recent filing with the Commission. Further, the OIP in this matter authorizes service of the OIP "by

any means permitted by the Commission's Rules of Practice." Therefore, the Division asked the Commission's Secretary to first attempt service on the Respondents via U.S. Priority Mail Express.

- 3. The Office of the Secretary provided me with the U.S. Priority Mail Express tracking numbers for the copies of the Order Instituting Proceedings ("OIP")<sup>1</sup> that were mailed by the Secretary to the respondents in these proceedings. I input each of the tracking numbers into the U.S. Postal Service's ("USPS's") package tracking system on its Internet website located at <a href="www.usps.com">www.usps.com</a>, and printed out the tracking confirmations in order to obtain confirmation of the delivery or attempted delivery of the OIP on each respondent. A true copy of the tracking confirmations for all of the respondents for whom express mail service was attempted is attached as Exhibit 1, hereto.
- 4. The Secretary mailed the OIP to respondent Artisanal Brands, Inc., CIK
  945634 ("AHFP"), via Priority Mail Express, Tracking No. EF 200198839 US, to the
  address shown on its most recent EDGAR filing at 42 Forest Lane, Bronxville, NY
  10708. This address is taken from AHFP's last filing with the Commission, which was a
  Form 8-K filed with the Commission on June 25, 2019. The USPS tracking system
  confirms that the package was delivered on August 7, 2019. See Exhibit 1 at 1.
- 5. The Secretary mailed the OIP to respondent Daleco Resources Corporation, CIK 746967 ("DLOV"), via Priority Mail Express, Tracking No. EF 200198842 US, to the address shown on its most recent EDGAR filing at 929 South High Street, #174, West Chester, PA 19382-5466. This address is taken from DLOV's last filing with the Commission, which was a Form 8-K filed with the Commission on September 2, 2015.

<sup>&</sup>lt;sup>1</sup>Each service package included the OIP, a letter from the Commission's Secretary, and a letter from the Division offering discovery pursuant to Rule of Practice 230.

The USPS tracking system confirms that the package was delivered on August 7, 2019.

See Exhibit 1 at 3.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 6, 2019.

Vinyard V Cooke

# EXHIBIT 1

## USPS Tracking FAQs > (https://www.usps.com/faqs/uspstracking-faqs.htm)

### Track Another Package +

Tracking Number: EF200198839US

Remove X

Your item was delivered at 4:01 pm on August 7, 2019 in BRONXVILLE, NY 10708. The item was signed for by A BRANDS.

## **⊘** Delivered

August 7, 2019 at 4:01 pm Delivered BRONXVILLE, NY 10708

Get Updates ✓

back

Text & Email Updates	<b>~</b>
Proof of Delivery	<b>*</b>

August 7, 2019, 4:01 pm

**Tracking History** 

Delivered

**BRONXVILLE, NY 10708** 

Your item was delivered at 4:01 pm on August 7, 2019 in BRONXVILLE, NY 10708. The item was signed for by A BRANDS.

Feedback

August 7, 2019, 11:36 am

Notice Left (No Authorized Recipient Available)

BRONXVILLE, NY 10708

August 7, 2019, 11:34 am Arrived at Post Office BRONXVILLE, NY 10708

August 7, 2019, 7:54 am
Arrived at USPS Regional Facility
WHITE PLAINS NY DISTRIBUTION CENTER

August 6, 2019, 10:36 pm
Departed USPS Regional Facility
LINTHICUM HEIGHTS MD DISTRIBUTION CENTER

August 6, 2019, 9:01 pm
Arrived at USPS Regional Facility
LINTHICUM HEIGHTS MD DISTRIBUTION CENTER

Product Information

See Less ∧

## Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

FAQs (https://www.usps.com/faqs/uspstracking-faqs.htm)

## USPS Tracking FAQs > (https://www.usps.com/faqs/uspstracking-faqs.htm)

### Track Another Package +

Tracking Number: EF200198842US

Remove X

Your item was delivered in or at the mailbox at 12:28 pm on August 7, 2019 in WEST CHESTER, PA 19382.

## **⊘** Delivered

August 7, 2019 at 12:28 pm Delivered, In/At Mailbox WEST CHESTER, PA 19382

Get Updates ✓

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Text & Email Updates	
Proof of Delivery	

**Tracking History** 

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August 7, 2019, 12:28 pm

Delivered, In/At Mailbox

WEST CHESTER, PA 19382

Your item was delivered in or at the mailbox at 12:28 pm on August 7, 2019 in WEST CHESTER, PA 19382.