

UNITED STATES OF AMERICA  
before the  
SECURITIES AND EXCHANGE COMMISSION

INVESTMENT ADVISERS ACT OF 1940  
Release No. 5717 / April 12, 2021

Admin. Proc. File No. 3-19510

In the Matter of  
  
ALBERT K. HU

ORDER REGARDING PREHEARING CONFERENCE

On September 24, 2019, the Securities and Exchange Commission issued an order instituting proceedings (“OIP”) against Albert K. Hu pursuant to Section 203(f) of the Investment Advisers Act of 1940.<sup>1</sup> The OIP directed the parties to conduct a prehearing conference within (14) days of service of the answer and, following the conference, to file a statement with the Office of the Secretary advising the Commission of any agreements reached at said conference.<sup>2</sup> If a prehearing conference was not held, the parties were ordered to file a statement advising the Commission of that fact and of the efforts made to meet and confer.<sup>3</sup>

Hu filed an answer with the Commission on January 9, 2020. The parties have not filed a statement regarding a prehearing conference.

Accordingly, it is ORDERED that by May 10, 2021, the parties shall file a statement advising the Commission of any agreements reached at the prehearing conference specified in the OIP. If a prehearing conference was not held, both parties shall file by that date a statement, jointly or separately, advising the Commission of that fact and of the efforts made to meet and confer. Pursuant to Rule of Practice 180(c), a party’s failure to file a brief or to comply with this order may result in the Commission’s determination of the matter at issue against that party, a finding of waiver, dismissal of the proceeding, or such other sanction as the Commission finds appropriate.<sup>4</sup>

The parties’ attention is called to the Commission’s March 18, 2020 order regarding the filing and service of papers, which provides that pending further order of the Commission parties

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<sup>1</sup> *Albert K. Hu*, Advisers Act Release No. 5365, 2019 WL 4645968 (Sept. 24, 2019).

<sup>2</sup> *Id.* at \*2.

<sup>3</sup> *Id.*

<sup>4</sup> 17 C.F.R. § 201.180(c).

to the extent possible shall submit all filings electronically at [apfilings@sec.gov](mailto:apfilings@sec.gov).<sup>5</sup> Also, the Commission's Rules of Practice were recently amended to include new e-filing requirements, which take effect on April 12, 2021.<sup>6</sup>

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

Vanessa A. Countryman  
Secretary

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<sup>5</sup> 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>.

<sup>6</sup> *Amendments to the Commission's Rules of Practice*, 85 Fed. Reg. 86,464, 86,474 (Dec. 30, 2020); see also *Amendments to the Commission's Rules of Practice*, Exchange Act Release No. 90442, 2020 WL 7013370 (Nov. 17, 2020); *Instructions for Electronic Filing and Service of Documents in SEC Administrative Proceedings and Technical Specifications*, <https://www.sec.gov/efapdocs/instructions.pdf>. The amendments also impose other obligations on parties to administrative proceedings 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.