

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 70172 / August 13, 2013

ADMINISTRATIVE PROCEEDING
File No. 3-9923

In the Matter of	:	
	:	
L.T. LAWRENCE & CO., INC.,	:	ORDER CREATING A FAIR FUND
TODD E. ROBERTI, AND	:	AND TRANSFERRING THE
LAWRENCE PRINCIPATO	:	FAIR FUND TO A COURT
	:	REGISTRY FOR DEPOSIT INTO
	:	A CRIMINAL RESTITUTION FUND
Respondents.	:	
	:	

On July 24, 2000, the United States Securities and Exchange Commission (the “Commission”) issued an Order Making Findings and Imposing Remedial Sanctions against Todd E. Roberti (“Roberti”) and others (“Order”). Securities Act Rel. No. 7876 (July 24, 2000). Roberti consented to the entry of the Order finding that he willfully violated Section 17(a) of the Securities Act of 1933 and Sections 9(a)(2) and 10(b) of the Securities Exchange Act of 1934 (“Exchange Act”) and Rule 10b-5 thereunder and willfully aided and abetted and caused violations of Section 15(c) of the Exchange Act, and Rules 15c1-2 and 15c1-8 thereunder. The Order required Roberti to pay \$274,276.27 in disgorgement and prejudgment interest and a \$100,000 civil money penalty. The Commission ultimately collected \$151,923.08 from Roberti that included two disgorgement payments of \$75,000, plus a \$100,000 civil money penalty payment, minus fees paid to the United States Department of Treasury (“Treasury”) for its assistance in the Commission’s collections efforts.

In a parallel criminal action, *United States v. Roberti*, 01-Cr-0588-02, Roberti pleaded guilty to one count of conspiracy to commit wire fraud and securities fraud and two separate counts of securities fraud in the United States District Court for the Southern District of New

York (“SDNY”). The criminal charges against Roberti involved an illegal scheme to manipulate Initial Public Offerings of securities and after market trading in securities of two publicly traded companies. On May 5, 2006, Roberti was ordered to pay restitution in the amount of \$1,623,770.00. To date, Roberti has made restitution payments totaling \$620,685.92. Roberti’s criminal violations are based on the same or substantially similar facts as those alleged in the Order.¹

The staff now seeks that a Fair Fund be created pursuant to Section 308(a) of the Sarbanes-Oxley Act of 2002, as amended, for the \$151,923.08 in disgorgement and civil money penalty payments collected from Roberti, and that the Fair Fund be transferred to SDNY pursuant to a request from the United States Attorney’s Office for the Southern District of New York, so that the Fair Fund can be combined with the criminal restitution fund ordered in the criminal case against Roberti and distributed by SDNY to harmed investors.

Accordingly, IT IS HEREBY ORDERED that: a) pursuant to Section 308(a) of the Sarbanes-Oxley Act of 2002, as amended, a Fair Fund is created for Roberti’s \$151,923.08 disgorgement and civil money penalty payments; and b) the Fair Fund will be transferred to SDNY’s court registry for deposit into the criminal restitution fund ordered in, *United States v. Roberti*, 01-Cr-0588-02, for a distribution to harmed investors.

By the Commission.

Elizabeth M. Murphy
Secretary

¹ 17 C.F.R. § 201.1102(a) states, “Subject to such conditions as the Commission or the hearing officer shall deem appropriate, a plan for the administration of a Fair Fund or a disgorgement fund may provide for payment of funds into a court registry or to a court-appointed receiver in any case pending in federal or state court against a respondent or any other person based upon a complaint alleging violations arising from the same or substantially similar facts as those alleged in the Commission's order instituting proceedings.”