

**UNITED STATES OF AMERICA**  
**Before the**  
**SECURITIES AND EXCHANGE COMMISSION**

**SECURITIES EXCHANGE ACT OF 1934**  
**Release No. 93605 / November 18, 2021**

**ADMINISTRATIVE PROCEEDING**  
**File No. 3-20654**

**In the Matter of**

**MARK MELNICK,**

**Respondent.**

**ORDER INSTITUTING**  
**ADMINISTRATIVE PROCEEDINGS**  
**PURSUANT TO SECTION 15(b) OF THE**  
**SECURITIES EXCHANGE ACT OF 1934,**  
**MAKING FINDINGS, AND IMPOSING**  
**REMEDIAL SANCTIONS**

**I.**

The Securities and Exchange Commission (“Commission”) deems it appropriate and in the public interest that public administrative proceedings be, and hereby are, instituted pursuant to Section 15(b) of the Securities Exchange Act of 1934 (“Exchange Act”) against Mark Melnick (“Melnick” or “Respondent”).

**II.**

In anticipation of the institution of these proceedings, Respondent has submitted an Offer of Settlement (the “Offer”) which the Commission has determined to accept. Solely for the purpose of these proceedings and any other proceedings brought by or on behalf of the Commission, or to which the Commission is a party, Respondent admits the Commission’s jurisdiction over him and the subject matter of these proceedings, and the findings contained in paragraphs 1-5 below, and consents to the entry of this Order Instituting Administrative Proceedings Pursuant to Section 15(b) of the Securities Exchange Act of 1934, Making Findings, and Imposing Remedial Sanctions (“Order”), as set forth below.

**III.**

On the basis of this Order and Respondent’s Offer, the Commission finds that:

1. Melnick, age 41, is a resident of Marlboro, New Jersey. Since at least 2015, Melnick has worked for T3 Live, LLC (“T3 Live”), an affiliate of registered broker-dealer T3 Trading Group, LLC (“T3 Trading Group”), as host of a daily subscription based real-time trading broadcast. T3 Live is under common control with T3 Trading Group.

2. On November 5, 2021, a judgment was entered by consent against Melnick, permanently enjoining him from future violations of Section 17(a) of the Securities Act of 1933 (“Securities Act”), and Section 10(b) of the Exchange Act and Rule 10b-5 thereunder, in the civil action entitled Securities and Exchange Commission v. Mark Melnick, Civil Action Number 21-CV-4054 (TWT), in the United States District Court for the Northern District of Georgia.

3. The Commission’s complaint against Melnick alleged that Melnick participated in a fraudulent scheme to manipulate the market for securities of publicly-traded companies and that Melnick generated \$374,835 in illicit profits from trading while the price of those securities were being manipulated.

4. Also on September 17, 2021, Melnick entered a guilty plea to one count of conspiracy to commit wire fraud ( 18 U.S.C. §1343) and securities fraud (15 U.S.C. §78j(b) and 17 C.F.R. §240.10b-5) before the United States District Court for the Northern District of Georgia, in *United States v. Mark Melnick*, Crim. Information No. 1:21-CR-300.

5. In connection with that plea agreement, Melnick has admitted that from in or about January 2018 through in or about January 2020, he participated in a market manipulation scheme involving trading securities around the dissemination of false rumors about publicly traded companies. This Offer shall remain in full force and effect regardless of the existence or outcome of any further proceedings in *United States v. Mark Melnick*.

#### IV.

In view of the foregoing, the Commission deems it appropriate and in the public interest to impose the sanctions agreed to in Respondent Melnick’s Offer.

Accordingly, it is hereby ORDERED pursuant to Section 15(b)(6) of the Exchange Act, that Respondent Melnick be, and hereby is barred from association with any broker, dealer, investment adviser, municipal securities dealer, municipal advisor, transfer agent, or nationally recognized statistical rating organization; and

Pursuant to Section 15(b)(6) of the Exchange Act Respondent Melnick be, and hereby is barred from participating in any offering of a penny stock, including: acting as a promoter, finder, consultant, agent or other person who engages in activities with a broker, dealer or issuer for purposes of the issuance or trading in any penny stock, or inducing or attempting to induce the purchase or sale of any penny stock.

Any reapplication for association by the Respondent will be subject to the applicable laws and regulations governing the reentry process, and reentry may be conditioned upon a number of

factors, including, but not limited to, compliance with the Commission's order and payment of any or all of the following: (a) any disgorgement or civil penalties ordered by a Court against the Respondent in any action brought by the Commission; (b) any disgorgement amounts ordered against the Respondent for which the Commission waived payment; (c) any arbitration award related to the conduct that served as the basis for the Commission order; (d) any self-regulatory organization arbitration award to a customer, whether or not related to the conduct that served as the basis for the Commission order; and (e) any restitution order by a self-regulatory organization, whether or not related to the conduct that served as the basis for the Commission order.

By the Commission.

Vanessa A. Countryman  
Secretary