

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.

SECURITIES AND EXCHANGE)
COMMISSION,)
)
Plaintiff,)
v.)
)
JAMES C. HOWARD III,)
MICHAEL R. CASEY, AND)
LOUIS N. GALLO III,)
)
Defendants,)
)
SUTTON CAPITAL, LLC,)
J&W TRADING, LLC,)
AMERICAN FINANCIAL SOLUTIONS,)
LLC, AND MINJO CORPORATION,)
)
Relief Defendants.)
_____)

COMPLAINT

Plaintiff Securities and Exchange Commission alleges as follows:

I. INTRODUCTION

1. From no later than January 2010 through March 2011, Defendants James C. Howard III and Louis N. Gallo III orchestrated and executed a fraudulent investment scheme perpetrated through Commodities Online, LLC (“COL” or the “Company”) and its manager and primary shareholder, Commodities Online Management, LLC (“COLM”). Defendant Michael R. Casey, beginning as outside counsel for COL and ultimately becoming its president, also participated in the execution of the fraud. The Defendants’ misrepresentations and omissions resulted in COL fraudulently raising approximately \$27.5 million in investor funds.

2. COL offered investors the chance to participate in its purportedly profitable brokering of physical commodities via “pre-sold” contracts. The Company sold participation units in unregistered private placement offerings, each supposedly tied to a commodities transaction in which COL had already secured a buyer and a seller of the commodity. COL and its principles claimed these participation units would generate predetermined profits for investors. The Company also offered and sold equity membership interests in COL to investors.

3. In reality, COL performed only a limited percentage of the commodities transactions it promised investors. Instead, the Company, Howard, and Gallo dissipated millions of dollars of investor funds to largely sham companies, including Relief Defendants Sutton Capital, LLC, J & W Trading, LLC, American Financial Solutions, LLC, and Minjo Corporation. Through these companies, Howard and Gallo misappropriated investor funds for their own use. So-called profits they distributed to investors they took largely from other investors’ funds.

4. Casey personally made misrepresentations to investors about the profitability, structure, and existence of the purported commodities contracts. He also knew about Howard’s misappropriation of investor funds, but failed to disclose this fact when he communicated with investors.

5. Howard personally made misrepresentations to investors about how COL would use their investments. While he claimed COL would use investor funds for start-up costs and operating expenses, Howard funneled the majority of equity offering proceeds to entities he controlled.

6. Also, Howard and Gallo both failed to disclose their respective criminal histories, including past felonies, to investors.

7. Through their conduct, the Defendants violated:
 - (a) the registration requirements of Sections 5(a) and 5(c) of the Securities Act of 1933 (“Securities Act”); 15 U.S.C. §§ 77e(a) and 77e(c)
 - (b) the antifraud provisions of 17(a) of the Securities Act, 15 U.S.C. § 77q(a).
 - (c) the antifraud provisions of Section 10(b) of the Securities Exchange Act of 1934 (“Exchange Act”), 15 U.S.C. § 78j(b); and Exchange Act Rule 10b-5, 17 C.F.R. § 240.10b-5, or, in the alternative, aided and abetted COL’s violations of Section 10(b) of the Exchange Act and Exchange Act Rule 10b-5.

8. Howard, through his conduct, is additionally and/or alternatively liable, as a control person under Section 20(a) of the Exchange Act, 15 U.S.C. § 78t(a), for COL’s violations of Section 10(b) of the Exchange Act and Exchange Act Rule 10b-5.

9. Unless restrained and enjoined, the Defendants are reasonably likely to continue to violate these provisions of the federal securities laws.

II. DEFENDANTS AND RELIEF DEFENDANTS

A. Defendants

10. Howard, age 53, is a resident of Lauderhill, Florida. In January 2010, he co-founded COL. Howard was president of COL until approximately May 2010, at which point he resigned. In 1997, Howard was convicted of federal narcotics and firearms felonies and sentenced to 57 months in prison. Howard is also the president of Sutton Capital and J&W Trading.

11. Casey, age 65, is a resident of Oakland Park, Florida. He is an attorney licensed to practice in Florida. In early 2010, Casey acted as COL’s outside legal counsel. In May 2010, he replaced Howard as president of COL.

12. Gallo, age 43, is a resident of Parkland, Florida and a former vice president of COL. Gallo is also the owner and manager of American Financial. In 2005, Gallo pleaded

guilty in the United States District Court for the District of New Jersey to bank fraud and narcotics charges and was ultimately sentenced. In 2007, in the same court, he pleaded guilty to transmitting a threat to injure and was later sentenced to one day in prison and a three-year term of supervised released.

B. Relief Defendants

13. Sutton Capital is a Florida limited liability company with a principal place of business in Fort Lauderdale. Howard is its managing member. In February 2010, Sutton Capital received at least \$1.45 million of COL investor funds. Sutton Capital did not provide goods or services to COL justifying the COL investor funds it received.

14. J&W Trading is a Florida limited liability company with a principal place of business in Fort Lauderdale. Howard is its managing member. From March 9, 2010 to April 21, 2010, J&W Trading received approximately \$607,000 from COL. J&W Trading did not provide goods or services to COL justifying the COL investor funds it received.

15. American Financial is a Florida limited liability company with its principal place of business in Pompano Beach. Gallo is its managing member. As of January 31, 2011, it had received approximately \$2,265,686 from COL and its affiliates. American Financial did not provide goods or services to COL justifying the COL investor funds it received.

16. Minjo is a Florida Corporation with its principal place of business in Pompano Beach. Its managing member was Gallo's assistant at COL. As of January 31, 2011, it had received approximately \$881,130 from COL and its affiliates. Minjo did not provide goods or services to COL justifying the COL investor funds it received.

C. Related Entities

17. COL is a Florida limited liability company with its principal place of business in Fort Lauderdale. It has never been registered with the Commission in any capacity and has not registered any offering of securities under the Securities Act or any class of securities under the Exchange Act.

18. COLM is a Florida limited liability company with its principal place of business in Fort Lauderdale. It has never been registered with the Commission in any capacity and has not registered any offering of securities under the Securities Act or any class of securities under the Exchange Act.

19. On April 1, 2011, the Commission filed a civil action against COL and COLM in the United States District Court for the Southern District of Florida. *SEC v. Commodities Online, et al.*, Case No. 11060702-CIV-Cooke. On April 4, 2011, the Court appointed a receiver over both entities.

III. JURISDICTION AND VENUE

20. The Court has jurisdiction over this action pursuant to Sections 20(b), 20(d), and 22(a) of the Securities Act, 15 U.S.C. §§ 77t(b), 77t(d), and 77v(a); and Sections 21(d), 21(e), and 27 of the Exchange Act, 15 U.S.C. §§ 78u(d), 78u(e), and 78aa.

21. This Court has personal jurisdiction over the Defendants, and venue is proper in the Southern District of Florida because many of the Defendants' acts and transactions constituting violations of the Securities Act and the Exchange Act occurred in the Southern District of Florida. For example, the Defendants solicited investors from offices in Fort Lauderdale and Pompano Beach. Additionally, during the fraud, all Defendants resided within the District, and they continue to do so.

22. The Defendants, directly and indirectly, have made use of the means and instrumentalities of interstate commerce, the means and instruments of transportation and communication in interstate commerce, and the mails, in connection with the acts, practices, and courses of business set forth in this Complaint.

IV. BACKGROUND OF THE FRAUD

A. Overview of COL's Unregistered Offerings and Fraud

23. From January 2010 through March 2011, COL sold investors participation units in commodities contracts. Each of these units purportedly represented funding of a pro-rata share of a specific commodities contract, e.g. the sale of large amounts of seafood or iron ore. COL raised at least \$24 million in this fashion from investors nationwide.

24. During the same time period, COL also sold membership units in the company for \$25,000 each. These membership units also represented unregistered securities the Defendants offered and sold. COL raised at least \$2.4 million in this manner from investors nationwide.

25. COL also sold subscriptions purportedly allowing individuals access to their trading accounts over a web-based interface. COL raised \$1.1 million through such subscriptions.

26. COL represented itself to investors as being in the business of arranging and funding pre-sold commodities contracts. The company also claimed that “[b]efore we purchase the commodity, we already have a buyer and contract in place. We know what the profit will be.” These statements were untrue. In fact, COL had arranged few, if any, paired contracts prior to selling investors participation units.

27. COL held itself out as providing a viable, profitable investment vehicle to prospective investors. To the contrary, COL's bank records reveal the company operated at a loss while representing itself as profitable. Despite COL's repeated assurances about its success

in funding profitable commodities contracts, it did not secure the contracts it promised to investors. In fact, the majority of the “profits” allocated or distributed to investors did not come from completed commodities transactions, but instead were taken from the funds of other investors.

V. THE DEFENDANTS’ PARTICIPATION IN THE COL FRAUD

28. Howard, Casey, and Gallo each substantially participated in COL’s general solicitation for its securities offerings. Howard individually offered for sale to investors COL’s equity membership units. Casey individually offered for sale to investors both participation units in the commodities contracts as well as COL’s equity membership units. Gallo individually offered for sale to investors participation units in the commodities contracts.

29. No registration statement has been filed or has been in effect with the Commission in connection with the securities the Defendants offered and sold.

A. Howard’s Misrepresentations Concerning COL’s Business and Subsequent Misappropriation of Funds

30. During a January 2010 meeting at a luxury hotel in Fort Lauderdale, Howard first offered COL equity membership interests to investors. Howard offered COL membership units, priced at \$25,000 each, to hundreds of people in attendance. COL had no pre-existing relationship with these investors.

31. Howard stated to the gathering of potential investors that the funds raised in the COL offering would be used for start-up costs, including salaries, marketing, advertising, and similar operating expenses.

32. Within weeks of Howard’s January 2010, COL received at least \$2 million in investor funds for the purchase of membership units. Ultimately, approximately 85 investors purchased the membership units.

33. Howard promptly misappropriated the majority of the equity offering proceeds. On February 9 and 26, 2010, respectively, COL transferred \$1,300,000 and \$150,000 of these funds to Sutton Capital.

34. These transfers of investor funds were not for the benefit of COL and were contrary to Howard's representations to investors about how COL would use their funds. In fact, Howard later admitted he used these funds to pay back investors in a previous scheme he had helped operate.

**B. Casey's Misrepresentations and Omissions
Regarding Howard's Misappropriation of Investor Funds**

35. At least as early as May 2010, Casey knew of the \$1.3 million transfer of funds to Sutton Capital. In August of that year, he drafted a back-dated note to document the transfer in order to falsely characterize the transfer as a loan and show a corresponding asset on COL's balance sheet.

36. After Howard's hotel presentation in January 2010, Casey drafted a subscription agreement for distribution to investors who had purchased membership units. The subscription agreement, although granting COL discretion in the use of proceeds, stated that "[a] substantial portion of net proceeds of the Offering will be applied to working capital for general corporate use."

37. After learning of the \$1.3 million transfer and attempting to characterize it as a loan, Casey continued to offer and sell membership interests. On December 16 and 17, 2010, Casey pitched membership interests to at least one investor, but failed to disclose that Howard had misappropriated a majority of such proceeds in the past.

**C. Casey's Misrepresentations Concerning
Participation Units in COL's Purported Commodities Contracts**

38. Casey also offered participation units in COL's commodities contracts directly to investors by personally meeting or communicating with them. COL's sales agents initially contacted these investors in a general solicitation. Casey then responded to inquiries from these investors in order to help persuade them to invest.

39. Casey also communicated with investors through a video that was prominently posted on COL's website after he became president in May 2010. In the video, he described the nature of COL's business. He unequivocally stated COL's contracts were pre-sold. The video was continually available on the COL website until March 2011.

40. In contrast to his representations that COL's contracts were pre-sold, in May of 2010, Casey was attempting to negotiate and sign iron ore contracts weeks *after* investors had already purchased participation units in those iron-ore contracts.

41. As another example, Casey knew at least one mixed-seafood contract was not pre-sold as advertised, and did not provide a return to investors. He knew that the mixed-seafood contract was delinquent and that the vendor was paying COL in installments, contrary to the "pre-sold" scenario that was the central feature of the investment as offered.

42. At least as early as November 2010, Casey also knew, or was severely reckless in not knowing, that COL's iron ore joint venture partner owed COL millions of dollars and therefore was not generating profits from pre-sold contracts for COL.

43. Despite these instances of knowing contracts were not pre-sold, Casey continued to tout COL's offering of pre-sold contracts on the COL website.

**D. Gallo's Participation in COL's Offering of
Commodities Participation Units and
Subsequent Misappropriation of Investor Funds**

44. COL also offered participation in its commodities contracts through an in-house "boiler room" of telephone sales agents and a network of approximately 20 regional and international sales offices.

45. Gallo participated in COL's general solicitation by personally running the company's boiler room from the company's inception until July 2010.

46. Gallo also met with investors in Texas and Virginia, among other locations, where he pitched investments in COL securities to investors with whom COL had no pre-existing relationship.

47. Between approximately May 2010 and January 31, 2011, Gallo misappropriated approximately \$2 million in funds belonging to COL investors. Gallo paid these funds directly or indirectly to himself, his affiliates, or his family members.

**E. Casey and Gallo, with Howard's Assistance,
Made Material Misrepresentations Regarding Howard's Role at COL**

48. In addition to participating in COL's fraud, Gallo and Casey made misrepresentations regarding Howard's role in the company. This was necessary to quell investor concern once Howard feigned a separation from COL management.

49. In March 2010, Howard was arrested in connection with an unrelated investment fraud.

50. In May 2010, COL issued a press release announcing Howard was stepping down from his COL management position but would "remain in a consulting relationship with [COL] and will continue to provide the company with the benefit of his many years of experience in the commodities business." While the press release announced that Casey would replace Howard as

president, it did not disclose Howard's arrest. Gallo and Casey were aware of the press release, which at least one of COL's sales agents circulated.

51. Despite the suggestion in the press release that Howard no longer would be a manager of COL, in actuality Howard continued to exercise tremendous control over COL's operations and bank accounts. Howard continued to make key business decisions and run operations for COL. Howard instructed COL employees to initiate wire transfers, fund purported contracts, open new contract offerings to investors, and initiate payouts to investors. Howard held and exercised the final authority for approving wire transfers for COL.

52. Howard had the power to, and often did, override Casey, the company's president, with regard to COL business decisions. For example, in an email dated February 7, 2011, Howard gave Casey a number of explicit instructions concerning its mining interests, forbade Casey as president of COL to meet with a representative of a Chinese steel company, and instructed Casey to defer to Gallo and others concerning the operations of the COL procurement department.

53. Casey and Gallo knew Howard led staff meetings and sent agendas in advance of the meetings to them and others. Howard also came to COL's offices on an almost daily basis.

54. Despite Howard's continued control and management of COL, Casey and Gallo misled investors as to Howard's role.

55. Shortly after Casey replaced Howard as President, he began responding to numerous investor concerns about Howard's arrest and continued involvement with COL. Casey personally assured at least one investor in an email that Howard was "not directly involved in management and remains only in an advisory capacity to the company since I assumed my current position," and assured another investor that Howard had no involvement.

56. Casey also told an investor in an email that he was “not just [t]he ‘face’ of Commodities Online LLC” but also “the guiding hand that steers the ship.”

57. Over time, as COL continued to fend off investor concerns over Howard’s involvement with COL, Casey told another investor in an email that Howard “maintains an equity interest in the Management Company, but has no control over the operational functions or financial assets of the Company.” Casey made these representations in emails sent from his COL email address.

58. On at least two occasions, Gallo also represented to investors that Howard was no longer involved in COL’s operations. One of these investors placed additional money with COL based on Gallo’s representation.

59. Howard was aware of how Casey and others were representing his role at COL. For example, Casey forwarded Howard an email in which Casey explained to an investor that Howard was not directly involved in COL’s management.

60. Howard was also aware of COL “talking points” addressing company issues of interest to investors, including his own possible ongoing role at the company. One of the “talking points” stated that: “Mr. Howard does not have any position on the management team of COL, nor does he have any attachment or control over any company bank accounts.”

**F. Howard and Gallo Failed
to Disclose Their Criminal Convictions to Investors**

61. When Howard appeared before potential COL investors at a luxury hotel in Fort Lauderdale in January 2010, he touted his experience in commodities trading and his business background. He failed to disclose to these investors his criminal history. Specifically, in 1997, the United States District Court for the Northern District of Florida convicted Howard of federal narcotics and firearms felonies and sentenced him to 57 months in prison.

62. Howard never disclosed his criminal background to investors either through the COL website or any other company communication to investors.

63. As for Gallo, in 2005, he pleaded guilty in the United States District Court for the District of New Jersey to bank fraud and narcotics charges and was later sentenced. In 2007, in the same court, he pled guilty to transmitting a threat to injure and was later sentenced. Throughout the period of his association with COL, Gallo was serving a three-year term of supervised release, which, among other things, required him to obtain permission from his probation officer before each trip out of the United States.

64. COL depicted Gallo as a senior officer, who fulfilled a core responsibility for the company. COL's website identified Gallo as the leader of COL's "procurement team," and featured pictures of him and Casey on trips to an iron mine in Mexico. Gallo was also listed as the vice president of COL on most of the Form Ds filed with the Commission, and was the signatory on supposed iron-ore contracts that were posted on COL's website.

65. Before taking the position of vice president and director of procurement, Gallo held himself out as director of sales. In both of these positions, Gallo met face-to-face with investors at various gatherings, where he discussed COL's procurement activities. Once he became director of procurement, Gallo described to investors his role in COL's procurement activities, including his trips to Mexico.

66. Gallo, throughout the entirety of the fraud, failed to disclose his criminal history to COL investors.

V. CLAIMS FOR RELIEF

COUNT I

**Sales of Unregistered Securities in
Violation of Sections 5(a) and 5(c) of the Securities Act
(Against All Defendants)**

67. The Commission repeats and realleges paragraphs 1-32, 38-39, 44-47 of its Complaint.

68. No registration statement was filed or in effect with the Commission pursuant to the Securities Act with respect to the securities and transactions described in this Complaint, and no exemption from registration exists with respect to these securities and transactions.

69. From no later than January 2010 through March 2011, the Defendants, directly and indirectly:

- (a) made use of means or instruments of transportation or communication in interstate commerce or of the mails to sell securities as described herein, through the use or medium of a prospectus or otherwise;
- (b) carried securities or caused such securities, as described herein, to be carried through the mails or in interstate commerce, by any means or instruments of transportation, for the purpose of sale or delivery after sale; or
- (c) made use of means or instruments of transportation or communication in interstate commerce or of the mails to offer to sell or offer to buy through the use or medium of a prospectus or otherwise, as described herein, without a registration statement having been filed or being in effect with the Commission as to such securities.

70. By reason of the foregoing, the Defendants violated, and, unless enjoined, are reasonably likely to continue to violate, Sections 5(a) and 5(c) of the Securities Act, 15 U.S.C. §§ 77e(a) and 77e(c).

COUNT II

**Fraud in the Offer or Sale of Securities in
Violation of Section 17(a)(1) of the Securities Act
(Against all Defendants)**

71. The Commission repeats and realleges paragraphs 1-66 of its Complaint.

72. From no later than January 2010 through March 2011, the Defendants, directly and indirectly, by use of the means or instruments of transportation or communication in interstate commerce and by use of the mails, in the offer or sale of securities, as described in this Complaint, knowingly, willfully or recklessly employed devices, schemes or artifices to defraud.

73. By reason of the foregoing, the Defendants, directly and indirectly, have violated and, unless enjoined, are reasonably likely to continue to violate, Section 17(a)(1) of the Securities Act, 15 U.S.C. § 77q(a)(1).

COUNT III

**Fraud in the Offer or Sale of Securities in
Violation of Sections 17(a)(2) and 17(a)(3) of the Securities Act
(Against all Defendants)**

74. The Commission repeats and realleges paragraphs 1-66 of its Complaint.

75. From no later than January 2010 through March 2011, the Defendants, directly and indirectly, by use of the means or instruments of transportation or communication in interstate commerce and by use of the mails, in the offer or sale of securities:

- (a) obtained money or property by means of untrue statements of material facts and omissions to state material facts necessary to make the statements made, in the light of the circumstances under which they were made, not misleading; or
- (b) engaged in transactions, practices and courses of business which operated as a fraud or deceit upon purchasers and prospective purchasers of such securities.

76. By reason of the foregoing, the Defendants, directly and indirectly, violated and, unless enjoined, are reasonably likely to continue to violate, Sections 17(a)(2) and 17(a)(3) of the Securities Act, 15 U.S.C. §§ 77q(a)(2) and 77q(a)(3).

COUNT IV

**Fraud in Connection with the Purchase or Sale of Securities in
Violation of Section 10(b) and Rule 10b-5 of the Exchange Act
(Against All Defendants)**

77. The Commission repeats and realleges paragraphs 1-66 of its Complaint.

78. From no later than January 2010 through March 2011, the Defendants, directly and indirectly, by use of the means and instrumentality of interstate commerce, and of the mails in connection with the purchase or sale of securities, knowingly, willfully or recklessly:

- (a) employed devices, schemes or artifices to defraud;
- (b) made untrue statements of material facts or omitted to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; or
- (c) engaged in acts, practices and courses of business which have operated, are now operating and will operate as a fraud upon the purchasers of such securities.

79. By reason of the foregoing, the Defendants, directly and indirectly, violated and, unless enjoined, are reasonably likely to continue to violate, Section 10(b) of the Exchange Act, 15 U.S.C. § 78j(b), and Rule 10b-5, 17 C.F.R. § 240.10b-5.

COUNT V

**Aiding and Abetting Fraud in Violation of
Section 10(b) and Rule 10b-5 of the Exchange Act
(Against All Defendants)**

80. The Commission repeats and realleges paragraphs 1-66 of its Complaint.

81. From no later than January 2010 through March 2011, COL and COM, directly and indirectly, by use of the means and instrumentalities of interstate commerce, and of the

mails in connection with the purchase or sale of securities, as described herein, knowingly, willfully, or recklessly:

- (a) employed devices, schemes or artifices to defraud;
- (b) made untrue statements of material facts and omitted to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; or
- (c) engaged in acts, practices and courses of business which have operated as a fraud upon the purchasers of such securities.

82. The Defendants, from no later than January 2010 through March 2011, knowingly or recklessly substantially assisted COL's violations of Section 10(b) of the Exchange Act, 15 U.S.C. § 78j(b), and Rule 10b-5 thereunder, 17 C.F.R § 240.10b-5.

83. By reason of the foregoing, the Defendants violated and, unless enjoined, are reasonably likely to continue to, assist violations of Section 10(b) of the Exchange Act, 15 U.S.C. § 78j(b), and Rule 10b-5, 17 C.F.R. § 240.10b-5.

COUNT VI

Section 20(a) of the Exchange Act – Control Person Liability for COL's Violations of Section 10(b) and Rule 10b-5 of the Exchange Act (Against Defendant James C. Howard III)

84. The Commission repeats and realleges paragraphs 1-66 of its Complaint.

85. Defendant James C. Howard III was, directly or indirectly, a control person of COL for purposes of Section 20(a) of the Exchange Act, 15 U.S.C. § 78t(a).

86. COL has violated section 10(b) of the Exchange Act and Rule 10b-5 thereunder.

87. As a control person of COL, Defendant James C. Howard III is jointly and severally liable with and to the same extent as COL for its violations of Section 10(b) of the Exchange Act, 15 U.S.C. § 78j(b), and Rule 10b-5, 17 C.F.R 240.10b-5 thereunder.

RELIEF REQUESTED

WHEREFORE, the Commission respectfully requests that the Court:

I.

Declaratory Relief

Declare, determine and find that the Defendants have committed the violations of the federal securities laws alleged herein.

II.

Permanent Injunction

Issue a Permanent Injunction restraining and enjoining the Defendants, their officers, agents, servants, employees, attorneys, and all persons in active concert or participation with them, and each of them, from violating Sections 5(a), 5(c), and 17(a) of the Securities Act, 15 U.S.C. §§ 77e(a), 77e(c), and 77q(a), and Section 10(b), 15 U.S.C. § 78j(b), and Rule 10b-5 of the Exchange Act, 17 C.F.R. § 240.10b-5, as indicated above.

III.

Disgorgement

Issue an Order directing the Defendants and Relief Defendants to disgorge all ill-gotten gains, including prejudgment interest, resulting from the acts or courses of conduct alleged in this Complaint.

IV.

Penalties

Issue an Order directing the Defendants to pay civil money penalties pursuant to Section 20(d) of the Securities Act and Section 21(d) of the Exchange Act, 15 U.S.C. §§ 77t(d), 78u(d).

V.

Further Relief

Grant such other and further relief as may be necessary and appropriate.

VI.

Retention of Jurisdiction

Further, the Commission respectfully requests that the Court retain jurisdiction over this action in order to implement and carry out the terms of all orders and decrees that it may enter, or to entertain any suitable application or motion by the Commission for additional relief within the jurisdiction of this Court.

Respectfully submitted,

September 5, 2012

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