

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 70452 / September 19, 2013

ADMINISTRATIVE PROCEEDING
File No. 3-15510

In the Matter of

JOHN MORAITIS,

Respondent.

**ORDER INSTITUTING ADMINISTRATIVE
PROCEEDINGS PURSUANT TO SECTION
15(b) OF THE SECURITIES EXCHANGE
ACT OF 1934 AND NOTICE OF HEARING**

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 John Moraitis (“Respondent”).

II.

After an investigation, the Division of Enforcement alleges that:

A. RESPONDENT

1. From 2002 until 2008, Respondent was associated with and employed as a proprietary trader by Joseph Stevens & Company, Inc., a broker-dealer registered with the Commission at the time. Respondent, 40 years old, is a resident of Jersey City, New Jersey.

B. RESPONDENT’S CRIMINAL CONVICTION

2. On September 11, 2011, Respondent was convicted of: (1) one count of securities fraud in violation of New York General Business Law 0352-c(5); (2) two counts of securities fraud in violation of New York General Business Law 0352-c(6); and (3) two counts of criminal possession of stolen property in the third degree in violation of New York Penal Law 165.50. *People v. Joseph Stevens & Co., Inc., et al.*, Case No. 02394-2009 (N.Y. Ct. App. Sept. 11,

2011). Respondent was sentenced on January 6, 2012 to four months' incarceration, five years' probation, and ordered to make restitution in the amount of \$75,220.

3. In connection with his conviction, Respondent admitted that from January 2003 through November 2005, he participated in a firm-wide scheme while he was associated with Joseph Stevens & Company, Inc., at that time a broker-dealer registered with the Commission, to generate and charge customers excessive and undisclosed commissions in connection with the purchase and sale of securities.

III.

In view of the allegations made by the Division of Enforcement, the Commission deems it necessary and appropriate in the public interest that public administrative proceedings be instituted to determine:

A. Whether the allegations set forth in Section II hereof are true and, in connection therewith, to afford Respondent an opportunity to establish any defenses to such allegations;

B. What, if any, remedial action is appropriate in the public interest against Respondent pursuant to Section 15(b)(6) of the Exchange Act.

IV.

IT IS ORDERED that a public hearing for the purpose of taking evidence on the questions set forth in Section III hereof shall be convened at a time and place to be fixed, and before an Administrative Law Judge to be designated by further order as provided by Rule 110 of the Commission's Rules of Practice, 17 C.F.R. § 201.110.

IT IS FURTHER ORDERED that Respondent shall file an Answer to the allegations contained in this Order within twenty (20) days after service of this Order, as provided by Rule 220 of the Commission's Rules of Practice, 17 C.F.R. § 201.220.

If Respondent fails to file the directed answer, or fails to appear at a hearing after being duly notified, the Respondent may be deemed in default and the proceedings may be determined against him upon consideration of this Order, the allegations of which may be deemed to be true as provided by Rules 155(a), 220(f), 221(f) and 310 of the Commission's Rules of Practice, 17 C.F.R. §§ 201.155(a), 201.220(f), 201.221(f) and 201.310.

This Order shall be served forthwith upon Respondent personally or by certified mail.

IT IS FURTHER ORDERED that the Administrative Law Judge shall issue an initial decision no later than 210 days from the date of service of this Order, pursuant to Rule 360(a)(2) of the Commission's Rules of Practice.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision of this matter, except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not “rule making” within the meaning of Section 551 of the Administrative Procedure Act, it is not deemed subject to the provisions of Section 553 delaying the effective date of any final Commission action.

By the Commission.

Elizabeth M. Murphy
Secretary