

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 83176 / May 4, 2018

ADMINISTRATIVE PROCEEDING
File No. 3-18469

In the Matter of

Joseph A. Rubbo,

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 Joseph A. Rubbo (“Respondent” or “Rubbo”).

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 paragraph III.2 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. Beginning no later than January 2013, Rubbo and his sister--SEC recidivists enjoined from similar misconduct in 2002--operated a scheme in which they offered and sold investments and/or issued restricted shares of stock in VIP TV, LLC, VIP Television Inc., and The Spongebuddy, LLC (collectively "VIP"), companies they controlled, to at least 11 investors nationwide and raised at least \$5.4 million. Rubbo served as the public face of VIP TV, attending premieres at entertainment venues where he touted VIP TV's success and appearing in videos on VIP TV's YouTube channel. Rubbo and his sister, hired an unregistered broker with a criminal history to cold call investors and pitch investments in VIP. Rubbo and his sister misappropriated investor funds and paid themselves and related parties more than \$2.6 million. Rubbo and his sister further paid the unregistered broker more than \$568,000, including at least \$150,000 in undisclosed sales commissions. Rubbo has never been registered with the Commission in any capacity. Rubbo is 54 years old and resides in Coral Springs, Florida.

2. On December 5, 2017, Rubbo pled guilty to conspiracy to commit offenses against the United States, namely mail fraud, securities fraud, and money laundering, in violation of 18 U.S.C. § 371, in a criminal case brought in the United States District Court for the District of Colorado, entitled United States v. Joseph Anthony Rubbo, Crim. No. 17-cr-00411 (Dist. Colo.).

3. In connection with his guilty plea, Rubbo admitted that from 2012, Rubbo, his siblings, and another co-conspirator (collectively "criminal defendants") each acted as part of a broader scheme to (1) use the mails to defraud multiple investors of millions of dollars, (2) commit securities fraud; and (3) engage in money laundering. As part of the scheme, the criminal defendants made false statements to investors about specific business opportunities for VIP Television and/or Spongobuddy; directly solicited money from the investors; and sent or caused to be sent investment contracts to investors. Rubbo also admitted that the criminal defendants did not disclose to investors (1) that in 2013 and 2014, Rubbo and his brother were each the subject of a civil investigation, and resulting consent order, by the State of Illinois in connection with the offering of securities related to ANJ, VIP Television, and Spongobuddy, (2) that in 2002, Rubbo and two of his siblings were charged by the Commission with violations of the antifraud and registration provisions of the federal securities law, and (3) their criminal histories, including Rubbo's prior conviction for conspiracy to commit racketeering.

IV.

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

Accordingly, it is hereby ORDERED pursuant to Section 15(b)(6) of the Exchange Act, that Respondent 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.

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, the satisfaction of any or all of the following: (a) any disgorgement ordered against the Respondent, whether or not the Commission has fully or partially waived payment of such disgorgement; (b) any arbitration award related to the conduct that served as the basis for the Commission order; (c) 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 (d) 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.

Brent J. Fields
Secretary