

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

**SECURITIES EXCHANGE ACT OF 1934**  
**Release No. 96764 / January 27, 2023**

**ADMINISTRATIVE PROCEEDING**  
**File No. 3-21288**

**In the Matter of**

**ABRAHAM “AVI” MIRMAN**

**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 Abraham “Avi” Mirman (“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, and without admitting or denying the findings herein, except as to the Commission’s jurisdiction over him and the subject matter of these proceedings and the findings contained in paragraph III.2 below, which are admitted, Respondent 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. From January 18, 2012 through February 8, 2013, Mirman was associated as a registered representative and was the head of the Investment Banking Department at John Thomas Financial ("JTF"), a New York broker-dealer that was then registered with the Commission.

2. On January 20, 2023, a final judgment was entered by consent against Mirman, permanently enjoining him from future violations of Sections 5(a), 5(c) and 17(a)(3) of the Securities Act of 1933 ("Securities Act") in the civil action entitled Securities and Exchange Commission v. Robert Genovese, et al., No. 17 Civ. 5821, in the United States District Court for the Southern District of New York. The final judgment ordered Mirman to pay disgorgement of \$278,519.45, prejudgment interest of \$127,006.15 and a civil penalty of \$125,000.

3. The Commission's complaint alleged, among other things, that in August and September of 2012, Mirman aided and abetted the actions of another person to artificially inflate the price of the common stock of Liberty Silver Corp. ("Liberty Silver"), while failing to disclose the sale of 6,600,000 Liberty Silver shares to JTF's retail customers. The complaint also alleged that Mirman substantially participated in offers of additional Liberty Silver shares as to which no registration statement was filed or in effect with the Commission.

### IV.

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

Accordingly, it is hereby ORDERED pursuant to Section 15(b)(6) of the Exchange Act that Respondent Mirman 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 with the right to apply for reentry after three (3) years to the appropriate self-regulatory organization, or if there is none, to the Commission.

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