

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

**SECURITIES EXCHANGE ACT OF 1934**  
**Release No. 97468 / May 10, 2023**

**ADMINISTRATIVE PROCEEDING**  
**File No. 3-17673**

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**In the Matter of**

**EZTD Inc.,**

**Respondent.**

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**NOTICE OF PROPOSED PLAN OF  
DISTRIBUTION AND  
OPPORTUNITY FOR COMMENT**

Notice is hereby given, pursuant to Rule 1103 of the United States Securities and Exchange Commission's (the "Commission") Rules on Fair Fund and Disgorgement Plans (the "Commission's Rules"), 17 C.F.R. § 201.1103, that the Division of Enforcement has submitted to the Commission a proposed plan of distribution (the "Proposed Plan") for the distribution of monies paid in the above-captioned matter.

On November 10, 2016, the Commission issued an Order Instituting Administrative and Cease-and-Desist Proceedings Pursuant to Section 8A of the Securities Act of 1933 and Sections 15(b) and 21C of the Securities Exchange Act of 1934, Making Findings, and Imposing Remedial Sanctions and Cease-and-Desist Order (the "Order")<sup>1</sup> against EZTD Inc. (the "Respondent"). In the Order, the Commission found that between June 1, 2011 and August 31, 2014, the Respondent made offers and sales of binary options to U.S. customers through two online trading platforms, eztrader.com and globaloption.com. These binary options constituted securities under the federal securities laws. The Respondent, however, failed to register any of its offers and sales of binary options with the Commission and it failed to register with the Commission as a broker-dealer. The Respondents also made statements on the trading platforms that misstated or omitted to state the true financial risk associated with investing in the firm's binary options. The Commission ordered the Respondent to pay \$1,515,858 in disgorgement, \$57,691 in prejudgment interest, and a \$200,000 civil money penalty, for a total of \$1,773,549, to the Commission. The Commission also created a Fair Fund, pursuant to Section 308(a) of the Sarbanes-Oxley Act of 2002, so the penalty paid, along with the disgorgement and interest paid, can be distributed to harmed investors (the "Fair Fund").

The Fair Fund includes the \$738,980 paid by the Respondent, and any additional funds collected from the Respondent, pursuant to the Order, will be added to the Fair Fund. The assets

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<sup>1</sup> Securities Act Rel. No. 10251 (Nov. 10, 2016).

of the Fair Fund are subject to the continuing jurisdiction and control of the Commission. The Fair Fund and has been deposited in a Commission-designated account at the U.S. Department of the Treasury, and any interest accrued will be added to the Fair Fund.

## **OPPORTUNITY FOR COMMENT**

Pursuant to this Notice, all interested persons are advised that they may obtain a copy of the Plan from the Commission's public website at <http://www.sec.gov/litigation/fairfundlist.htm>. Interested persons may also obtain a written copy of the Proposed Plan by submitting a written request to Jennifer Cardello via email at [cardelloj@sec.gov](mailto:cardelloj@sec.gov). All persons who desire to comment on the Proposed Plan may submit their comments, in writing, no later than thirty (30) days from the date of this Notice:

1. to the Office of the Secretary, United States Securities and Exchange Commission, 100 F Street, NE, Washington, DC 20549-1090;
2. by using the Commission's Internet comment form (<http://www.sec.gov/litigation/admin.shtml>); or
3. by sending an e-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov).

Comments submitted by email or via the Commission's website should include "Administrative Proceeding File No. 3-17673" in the subject line. Comments received will be publicly available. Persons should submit only information they wish to make publicly available.

## **THE PROPOSED PLAN**

The Net Available Fair Fund is comprised of the \$738,980 in disgorgement paid by the Respondent and any additional funds collected from the Respondent pursuant to the Order, plus interest and income earned thereon, less taxes, fees, and expenses. The Proposed Plan provides for the distribution of the Net Available Fair Fund to compensate those investors who suffered a loss on binary options purchased through EZTD's two online trading platforms, eztrader.com and globaloption.com, from June 1, 2011 through August 31, 2014.

For the Commission, by the Division of Enforcement, pursuant to delegated authority.<sup>2</sup>

Vanessa A. Countryman  
Secretary

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<sup>2</sup> 17 C.F.R. § 200.30-4(a)(21)(iii).