

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

**SECURITIES EXCHANGE ACT OF 1934
Release No. 68098 / October 24, 2012**

**ACCOUNTING AND AUDITING ENFORCEMENT
Release No. 3420 / October 24, 2012**

**ADMINISTRATIVE PROCEEDING
File No. 3-15078**

In the Matter of

**RAJNISH K. DAS,
Respondent.**

**ORDER INSTITUTING PUBLIC
ADMINISTRATIVE PROCEEDINGS AND
IMPOSING TEMPORARY SUSPENSION
PURSUANT TO RULE 102(e)(3) OF THE
COMMISSION'S RULES OF PRACTICE**

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 Rule 102(e)(3)¹ of the Commission’s Rules of Practice against Rajnish K. Das (“Respondent” or “Das”).

¹ Rule 102(e)(3)(i) provides, in relevant part, that:

The Commission, with due regard to the public interest and without preliminary hearing, may, by order, . . . suspend from appearing or practicing before it any . . . accountant . . . who has been by name . . . permanently enjoined by any court of competent jurisdiction, by reason of his or her misconduct in an action brought by the Commission, from violating or aiding and abetting the violation of any provision of the Federal securities laws or of the rules and regulations thereunder.

II.

The Commission finds that:

A. RESPONDENT

1. Rajnish K. Das, age 42, is a resident of New York, New York. From approximately September 2003 through January 2006, Das was employed as chief financial officer (“CFO”) of infoUSA, Inc. (“Info”), a database marketing company. As CFO, Das signed and certified Info’s Forms 10-K which incorporated information from the company’s proxy statements. Das was terminated from Info in approximately July 2006. Das has not passed the certified public accountant (“CPA”) exam and has not been a licensed CPA.

2. Prior to working at Info, Das was employed with various investment banking firms. Following his employment at Info, Das has owned and operated POM Partners, LLC, which offers investment banking advisory services. Das has held Series 7 and 63 securities licenses.

B. CIVIL INJUNCTION AND FINDING OF LIABILITY FOR VIOLATIONS

3. On May 29, 2012, the U.S. District Court for the District of Nebraska entered a final judgment against Das, permanently enjoining him from future violations, direct or indirect, of Sections 10(b), 13(a), 13(b)(2)(A), 13(b)(2)(B), 13(b)(5), and 14(a) of the Securities Exchange Act of 1934 and Rules 10b-5, 12b-20, 13a-1, 13a-13, 13a-14, 13b2-1, 13b2-2, 14a-3, and 14a-9 thereunder. Securities and Exchange Commission v. Rajnish K. Das, et al., Civil Action Number 8:10-cv-00102-LSC-FG3. In the final judgment, the court declared that Das “acted in bad faith toward shareholders of [Info], when committing the acts and omissions that led to this proceeding, and knew his actions were contrary to the interests of [Info] and its shareholders.”

4. Previously, on March 2, 2012, after a trial, a jury for the U.S. District Court for the District of Nebraska, issued a verdict finding Das liable for violations of Sections 10(b), 13(a), 13(b)(2)(A), 13(b)(2)(B), 13(b)(5), 14(a) of the Exchange Act and Rules 10b-5, 12b-20, 13a-1, 13a-13, 13a-14, 13b2-1, 13b2-2, 14a-3, and 14a-9 thereunder. Securities and Exchange Commission v. Rajnish K. Das, et al., Civil Action Number 8:10-cv-00102-LSC-FG3.

5. The Commission’s complaint alleged that Das signed and certified Info’s false Forms 10-K and proxy statements that materially understated and failed to properly disclose the perquisite compensation of Vinod Gupta, Info’s former chief executive officer and Chairman of the Board of Directors, and failed to properly disclose related party transactions involving Gupta. The complaint alleged that for the years 2003 through 2007, Gupta used Info to pay for his personal expenses associated with private jet flights, a yacht, homes, automobiles, credit card expenses, country club memberships, and life insurance policies. As CFO, Das approved Info’s payment of Gupta’s personal expenses and signed and certified Info’s false Forms 10-K for 2003 and 2004 which incorporated information from Info’s proxy statements. The complaint also alleged that Das aided and abetted the filing of Info’s false Form 10-K for 2005 which incorporated information from Info’s proxy statements.

III.

Based upon the foregoing, the Commission finds that a court of competent jurisdiction has found Respondent to have violated the Federal securities laws and permanently enjoined him from violations of the Federal securities laws within the meaning of Rule 102(e)(3)(i)(A) and (B) of the Commission's Rules of Practice. In view of these findings, the Commission deems it appropriate and in the public interest that Respondent be temporarily suspended from appearing or practicing before the Commission.

IT IS HEREBY ORDERED that Rajnish K. Das be, and hereby is, temporarily suspended from appearing or practicing before the Commission. This Order shall be effective upon service on the Respondent.

IT IS FURTHER ORDERED that Respondent may within thirty days after service of this Order file a petition with the Commission to lift the temporary suspension. If the Commission within thirty days after service of the Order receives no petition, the suspension shall become permanent pursuant to Rule 102(e)(3)(ii).

If a petition is received within thirty days after service of this Order, the Commission shall, within thirty days after the filing of the petition, either lift the temporary suspension, or set the matter down for hearing at a time and place to be designated by the Commission, or both. If a hearing is ordered, following the hearing, the Commission may lift the suspension, censure the petitioner, or disqualify the petitioner from appearing or practicing before the Commission for a period of time, or permanently, pursuant to Rule 102(e)(3)(iii).

This Order shall be served upon Respondent personally or by certified mail at his last known address.

By the Commission.

Elizabeth M. Murphy
Secretary