

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 54128 / July 11, 2006

ACCOUNTING AND AUDITING ENFORCEMENT
Release No. 2459 / July 11, 2006

ADMINISTRATIVE PROCEEDING
File No. 3-12363

In the Matter of

Marvin Winick,

Respondent.

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**ORDER INSTITUTING ADMINISTRATIVE
PROCEEDINGS PURSUANT TO RULE
102(e) OF THE COMMISSION'S RULES OF
PRACTICE, 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 against Marvin Winick (“Respondent” or “Winick”) pursuant to Rule 102(e)(3)(i) of the Commission’s Rules of Practice.¹

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.

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 Section III(4) below, which are admitted, Respondent consents to the entry of this Order Instituting Administrative Proceedings Pursuant to Rule 102(e) of the Commission’s Rules of Practice, 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. Winick, from Thornhill, Ontario, is an accountant who frequently serves as a consultant to issuers that have a class of securities registered pursuant to Section 12 of the Securities Exchange Act of 1934 (“Exchange Act”) [15 U.S.C. § 78l] or that are required to file reports pursuant to Section 15(d) of the Exchange Act [15 U.S.C. § 78o(d)] (“U.S. public companies”). He also frequently serves as an officer or director of and provides other miscellaneous services on behalf of U.S. public companies.

2. In 2003, Winick was hired as a consultant by Greentech USA, Inc. (“Greentech”), Information Architects Corporation (“IACH”) and Tekron, Inc. (“Tekron”) (collectively referred to here as “the issuers”). He was responsible for preparing the issuers’ financial statements and preparing and filing their Commission filings.

3. At all relevant times, Greentech, IACH and Tekron each had a class of securities that was registered with the Commission pursuant to Section 12(g) of Exchange Act and was traded on the Over-the-Counter Bulletin Board (“OTCBB”).

4. On June 30, 2006, the Commission filed a complaint against Winick in SEC v. Marvin Winick, et al. (Civil Action No. 306-CV-1164-D) in the U.S. District Court for the Northern District of Texas, Dallas Division. On July 5, 2006, the court entered an order permanently enjoining Winick, by consent, from future violations of Section 17(a) of the Securities Act of 1933 (“Securities Act”) and Section 10(b) of the Exchange Act and Rules 10b-5 and 13b2-1 thereunder, and aiding and abetting violations of Sections 13(a), 13(b)(2)(A) and 13(b)(2)(B) of the Exchange Act and Rules 12b-20, 13a-1 and 13a-13 thereunder. Winick was also ordered to pay \$30,985 in disgorgement of ill-gotten gains, plus prejudgment interest, and ordered to surrender 50,000 shares of IACH stock he received from IACH. He was also ordered to pay a \$100,000 civil penalty, and prohibited from acting as an officer or director of any U.S. public company.

5. The Commission’s complaint alleged that Winick was hired by Greentech, IACH and Tekron as a consultant charged with responsibility for, among other things, properly preparing

and filing the issuers' Commission filings; instead Winick filed 2003 Forms 10-KSB on each issuer's behalf that included fraudulent Reports of Independent Certified Public Accountants ("Audit Report(s)") and fraudulent auditor's consent letters ("Consent(s)"). More specifically, the Commission alleged that Winick placed an electronic signature of an Oklahoma City-based accounting firm ("accounting firm") on the Audit Reports and Consents without authorization from the accounting firm; in fact, neither the accounting firm nor any other auditor had audited the issuers' 2003 financial statements. The complaint further alleged that Winick subsequently filed on the issuers' behalf Forms 10-QSB that contained a balance sheet comparing the financial results for the current quarter with those for the previous annual period and falsely designating the annual period as "audited." According to the complaint, after the accounting firm confronted Winick about the fraudulent Audit Reports and Consents, Winick filed a 2003 Form 10-KSB/A on behalf of IACH that included an Audit Report and Consent putatively signed by a second auditor, based in Colorado. Again, Winick placed this signature on the Auditor Report and Consent without authorization from the auditor and, in fact, no audit had been completed. The complaint further alleged that in February 2005, Winick filed on Tekron's behalf another Form 10-QSB that contained a balance sheet comparing the financial results of the current quarter with those of the prior annual period, falsely designating the annual period as "audited."

IV.

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

Accordingly, it is hereby ORDERED, effective immediately, that Winick is suspended from appearing or practicing before the Commission.

By the Commission.

Nancy M. Morris
Secretary