# UNITED STATES OF AMERICA Before the SECURITIES AND EXCHANGE COMMISSION

## SECURITIES EXCHANGE ACT OF 1934 Release No. 70252 / August 23, 2013

### ADMINISTRATIVE PROCEEDING File No. 3-15438

In the Matter of

#### **DARLENE A. BISHOP,**

**Respondent.** 

# ORDER INSTITUTING ADMINISTRATIVE PROCEEDINGS PURSUANT TO SECTION 15(b) OF THE SECURITIES EXCHANGE ACT OF 1934 AND NOTICE OF HEARING

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 Darlene A. Bishop ("Respondent" or "Bishop").

### II.

After an investigation, the Division of Enforcement alleges that:

1. From at least June 2010 to February 2011, Bishop was a principal of JonDar Enterprises, LLC, a Texas limited liability company, through which she received compensation for marketing and selling securities offered by Dresdner Financial. Bishop never was registered as a broker or was associated with a registered broker-dealer. Bishop, 41 years old, is a resident of Odessa, Texas. On August 6, 2013, Bishop pled guilty to one count of aiding and abetting wire fraud in violation of Title 18 United States Code, Section 1343 before the United States District Court for the Western District of Texas, in United States v. Darlene Bishop, Case No. 13-cr-00239.

2. On August 1, 2013, a judgment was entered by consent against Bishop, permanently enjoining her from future violations of Sections 5(a), 5(c), and 17(a) of the Securities

Act of 1933 ("Securities Act") and Sections 10(b) and 15(a) of the Exchange Act and Rule 10b-5 thereunder in the civil action entitled <u>Securities and Exchange Commission v. Geoffrey Lunn, et al.</u>, Civil Action Number 12-cv-02767, in the United States District Court for the District of Colorado.

3. The Commission's complaint alleged that between June 2010 and February 2011 Bishop marketed fraudulent securities offered by a fictitious business called Dresdner Financial directly to investors through emails, phone calls and other means. The complaint further alleged that Bishop sold fraudulent, unregistered securities to at least 21 investors for a total of at least \$1,452,000 and was paid at least \$253,000 from the investors' funds as a commission. The complaint also alleged that Bishop made numerous false statements to the investors regarding the securities and the reasons for which the investors had not received their promised returns.

## III.

In view of the allegations made by the Division of Enforcement, the Commission deems it necessary and appropriate in the public interest that public administrative proceedings be instituted to determine:

A. Whether the allegations set forth in Section II hereof are true and, in connection therewith, to afford Respondent an opportunity to establish any defenses to such allegations;

B. What, if any, remedial action is appropriate in the public interest against Respondent pursuant to Section 15(b) of the Exchange Act;

#### IV.

IT IS ORDERED that a public hearing for the purpose of taking evidence on the questions set forth in Section III hereof shall be convened at a time and place to be fixed, and before an Administrative Law Judge to be designated by further order as provided by Rule 110 of the Commission's Rules of Practice, 17 C.F.R. § 201.110.

IT IS FURTHER ORDERED that Respondent shall file an Answer to the allegations contained in this Order within twenty (20) days after service of this Order, as provided by Rule 220 of the Commission's Rules of Practice, 17 C.F.R. § 201.220.

If Respondent fails to file the directed answer, or fails to appear at a hearing after being duly notified, the Respondent may be deemed in default and the proceedings may be determined against him upon consideration of this Order, the allegations of which may be deemed to be true as provided by Rules 155(a), 220(f), 221(f) and 310 of the Commission's Rules of Practice, 17 C.F.R. §§ 201.155(a), 201.220(f), 201.221(f) and 201.310.

This Order shall be served forthwith upon Respondent personally or by certified mail.

IT IS FURTHER ORDERED that the Administrative Law Judge shall issue an initial decision no later than 210 days from the date of service of this Order, pursuant to Rule 360(a)(2) of the Commission's Rules of Practice.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision of this matter, except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of Section 551 of the Administrative Procedure Act, it is not deemed subject to the provisions of Section 553 delaying the effective date of any final Commission action.

For the Commission, by its Secretary, pursuant to delegated authority.

Elizabeth M. Murphy Secretary