

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 71628 / February 27, 2014

ADMINISTRATIVE PROCEEDING
File No. 3-15770

In the Matter of

ROBERT CUSTIS, Esq.,

Respondent.

**ORDER INSTITUTING PUBLIC
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 Robert Custis, Esq. (“Respondent” or “Custis”) pursuant to Rule 102(e)(3)(i) of the Commission’s Rules of Practice.¹

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

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 attorney . . . who has been by name (A) [p]ermanently 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; or (B) [f]ound by any court of competent jurisdiction in an action brought by the Commission to which he or she is a party . . . to have violated (unless the violation was found not to have been willful) or aided and abetted the violation of any provision of the Federal securities laws or of the rules and regulations thereunder.

proceedings, and the findings contained in Paragraph 2 of Section III 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. Custis, age 60, is a resident of Salem, Oregon. Custis is a member of the Oregon State Bar. Custis performed legal work for Grifphon Asset Management, LLC and Grifphon Holdings, LLC, and communicated with the investors of the funds controlled and managed by those entities.

2. On September 20, 2012, the Commission filed a complaint against Custis in SEC v. Yusaf Jawed, et al. (Case No. 3:12-CV-01696), in the United States District Court for the District of Oregon. On February 13, 2014, the court entered an order permanently enjoining Custis by consent, from future violations of Section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5 thereunder, and Section 206(4) of the Investment Advisors Act of 1940 and Rule 206(4)-8 thereunder.

3. The Commission's complaint alleged, among other things, that Custis was hired by Yusaf Jawed to perform legal work related to two investment advisors controlled by Jawed, Grifphon Asset Management, LLC and Grifphon Holdings, LLC. The complaint alleges that from late 2009 to November 2011 Custis made false and misleading statements to investors regarding a purported offer to purchase Grifphon funds' assets, telling investors that the investors would be repaid and make a profit from proceeds of the asset sale. According to the complaint, Custis knew, or was reckless in not knowing, that these representations were false.

IV.

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

Accordingly, it is hereby ORDERED pursuant to Rule 102(e)(3)(i) of the Commission's Rules of Practice, effective immediately, that:

A. Custis is suspended from appearing or practicing before the Commission as an attorney.

By the Commission.

Elizabeth M. Murphy
Secretary