

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

**SECURITIES EXCHANGE ACT OF 1934**  
**Release No. 71677 / March 10, 2014**

**ADMINISTRATIVE PROCEEDING**  
**File No. 3-15778**

**In the Matter of**  
  
**DAVID LOGLISCI,**  
  
**Respondent.**

**ORDER INSTITUTING**  
**ADMINISTRATIVE PROCEEDINGS**  
**PURSUANT TO RULE 102(e)(2) OF THE**  
**COMMISSION'S RULES OF PRACTICE,**  
**MAKING FINDINGS, AND IMPOSING**  
**REMEDIAL SANCTION**

**I.**

The Securities and Exchange Commission (“Commission”) deems it appropriate that public administrative proceedings be, and hereby are, instituted pursuant to Rule 102(e)(2) of the Commission’s Rules of Practice [17 C.F.R. § 201.102(e)(2)] against Respondent David Loglisci (“Respondent”).<sup>1</sup>

**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, Respondent consents to the entry of this Order Instituting Administrative Proceedings Pursuant to Rule 102(e)(2) of the Commission’s Rules of Practice, Making Findings, and Imposing Remedial Sanction (“Order”), as set forth below.

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<sup>1</sup> Rule 102(e)(2) provides in pertinent part: “Any . . . person who has been convicted of a felony or a misdemeanor involving moral turpitude shall be forthwith suspended from appearing or practicing before the Commission.”

### III.

On the basis of this Order and Respondent's Offer, the Commission finds that:

1. Respondent, age 41, resides in Oklahoma City, Oklahoma. Beginning in 2003, he served as the Director of Alternative Investments for the Comptroller of the State of New York. In April 2004, Respondent was promoted to Deputy Comptroller and Chief Investment Officer and served in that position until his resignation in mid-2007. Respondent was admitted to practice law in the State of New York on June 23, 1999. Respondent was disbarred on March 10, 2010.

2. On March 19, 2009, the Commission filed a civil action against Respondent in the United States District Court for the Southern District of New York, SEC v. Henry Morris, et al., Civil Action No. 09-CV-2518, and subsequently amended the complaint on three occasions. The Commission's Third Amended Complaint ("Complaint") alleges, inter alia, that in connection with the sale of securities to the New York Common Retirement Fund ("Retirement Fund") and the investment of Retirement Fund assets in the purchase and sale of securities, Respondent knowingly engaged in a fraudulent scheme involving undisclosed kickback payments made by investment management firms to Henry Morris and others.

3. On March 10, 2010, Respondent pled guilty to a felony violation of the Martin Act, New York General Business Law § 352-c(6), before the Supreme Court of the State of New York, County of New York, The People of the State of New York vs. David Loglisci, Indictment No. 25/2009. On October 9, 2012, a judgment of conviction in the criminal case was entered against Respondent, and he was sentenced to conditional discharge.

4. On March 3, 2014, the United States District Court for the Southern District of New York entered, by consent, a final judgment against Respondent permanently enjoining him from future violations of Section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5 thereunder, and Sections 206(1) and (2) of the Investment Advisers Act of 1934.

**IV.**

In view of the foregoing, the Commission finds that Respondent has been convicted of a felony within the meaning of Rule 102(e)(2) of the Commission's Rules of Practice and deems it appropriate to impose the sanction agreed to in Respondent's Offer.

Accordingly, it is hereby ORDERED pursuant to Rule 102(e)(2) of the Commission's Rules of Practice that Respondent is forthwith suspended from appearing or practicing before the Commission.

By the Commission.

Jill M. Peterson  
Assistant Secretary