

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 72259 / May 27, 2014

ADMINISTRATIVE PROCEEDING
File No. 3-15890

In the Matter of

RANDI A. BOCHINSKI,

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 Randi A. Bochinski (“Bochinski” or “Respondent”).

II.

After an investigation, the Division of Enforcement alleges that:

A. RESPONDENT

1. From at least November 30, 2004 through at least January 2010, Bochinski acted as a broker with respect to the offer and sale of securities. Bochinski was not registered as a broker-dealer or associated with a registered broker-dealer during the relevant time. Bochinski, 49 years old, is a Canadian citizen and was a resident of Kelowna, British Columbia and is currently imprisoned in Taft, California.

B. RESPONDENT'S CRIMINAL CONVICTION

2. On May 13, 2013, Bochinski pleaded guilty to three counts of wire fraud (18 U.S.C. §§ 1343 and 2), three counts of mail fraud (18 U.S.C. §§ 1341 and 2), and one count of money laundering (18 U.S.C. §§ 1957 and 2) in the United States District Court for the District of Massachusetts in Boston U.S. v. Bochinski, et. al., Case No.: 1:10-cr-10199-DPW-1 (D. Mass. June 23, 2010). Bochinski was sentenced on October 18, 2013 to 72 months in prison and three years of supervised release. He was ordered to make restitution totaling \$5.2 million, to be paid jointly and severally with another individual. Bochinski is serving his sentence at a correctional institution in Taft, California.

3. As detailed in the plea agreement and indictment, Bochinski and another individual collectively induced at least 12 individuals nationwide to invest more than \$3.5 million in a series of purported high yield investment programs under various names, including Carlant Holdings, Ltd., from at least November 30, 2004 through at least January 2010. Bochinski falsely told investors that their funds would be held collectively in an escrow account as collateral for offshore foreign currency exchange trading or used to invest in communications-related business, timber, and gold, and to secure loans. The proceeds of the loans would purportedly be used for purposes such as trading in the stock of European and Asian banks and making loans to third world countries which purportedly would be guaranteed by the World Bank. Bochinski promised investors returns of at least three to four percent per month, and assured them that their principal would be returned to them within a short amount of time. In reality, there were no such investment programs. Instead, Bochinski misappropriated investor funds for personal use.

4. Bochinski acted as an unregistered broker by selling securities in the form of investment contracts. Bochinski solicited investors in the Carlant Holdings high yield investment program via telephone, e-mail, and in person. Bochinski contacted by telephone prospective investors referred to him by the other or met with them in person in order to sell the investments. He also solicited investors directly for the Carlant Holdings investment program through telephone calls. Bochinski represented himself as a fellow investor and told some investors that he was involved in other investment programs as well. Bochinski sometimes offered investors opportunities in other, purportedly higher yielding investment opportunities.

5. Bochinski provided investors with documents related to the purported investment programs. Bochinski sent some investors fictitious account statements, confirmations, updates, and investment agreements he personally signed. Bochinski collected investor funds directly from investors he solicited, sending them wire and bank instructions for investment. He set up an escrow account where he received investor funds. Bochinski made some payments to investors but the money came from other investors' funds.

6. Bochinski used investor funds for personal expenditures.

III.

In view of the foregoing, the Commission deems it appropriate and 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 Bochinski an opportunity to establish any defenses to such allegations; and

B. What, if any, remedial action is appropriate in the public interest against Respondent Bochinski 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 Bochinski 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 Bochinski 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 Bochinski 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.

By the Commission.

Jill M. Peterson
Assistant Secretary