

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 74912 / May 8, 2015

ADMINISTRATIVE PROCEEDING
File No. 3-16528

In the Matter of

**Express Commercial Capital
LLC and Sidney Banner,**

Respondents.

**ORDER INSTITUTING PUBLIC
ADMINISTRATIVE PROCEEDINGS PURSUANT
TO SECTION 15(b) OF THE SECURITIES
EXCHANGE ACT OF 1934, 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 pursuant to Section 15(b) of the Securities Exchange Act of 1934 (“Exchange Act”) against Express Commercial Capital LLC (“Express Commercial”) and Sidney Banner (“Banner”) (collectively “Respondents”).

II.

In anticipation of the institution of these proceedings, Respondents 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 them and the subject matter of these proceedings and the findings contained in Section III.3 below, which are admitted, Respondents consent to the entry of this Order Instituting Public Administrative Proceedings Pursuant to Section 15(b) of the Securities Exchange Act of 1934, Making Findings, and Imposing Remedial Sanctions (“Order”), as set forth below.

III.

On the basis of this Order and Respondents’ Offer, the Commission finds that:

1. Banner, age 87, resides in Delray Beach, Florida. From at least January 2013 through August 2013, Banner engaged in the business of inducing or attempting to induce the

purchase or sale of a security in the form of an investment contract in a trading program offered by Worldwide Funding Limited III LLC (“Worldwide Funding”), a Florida limited liability company. Banner was never registered with the Commission as a broker or dealer, or associated with a broker or dealer registered with the Commission. Banner was the sole managing member of Express Commercial, a financial consulting company.

2. Express Commercial was a Florida limited liability company operated by Banner from his home in Delray Beach, Florida. From at least January through August 2013, Express Commercial engaged in the business of inducing or attempting to induce the purchase or sale of a security in the form of an investment contract in a trading program offered by Worldwide Funding through emails sent to prospective investors by Banner as the manager of Express Commercial and postings on its Internet website at <http://expcomcap.com>.

3. On April 2, 2015, a judgment was entered by consent against Banner and Express Commercial permanently enjoining them from future violations of Sections 5(a), 5(c), and 17(a) of the Securities Act of 1933 (“Securities Act”), Sections 10(b) and 15(a) of the Exchange Act and Rule 10b-5 promulgated thereunder, in the civil action entitled Securities and Exchange Commission v. Bernard H. Butts Jr., et al., Civil Action Number 1:13-CV-23115, in the United States District Court for the Southern District of Florida.

4. The Commission’s complaint alleged that Banner and Express Commercial acted as sales agents that offered and sold securities in a fictitious prime bank instrument trading program offered by Worldwide Funding. Banner and Express Commercial lured investors into the scheme with promises of extraordinary profits. As part of the scheme they told investors that an investment of between USD \$60,000 and \$90,000 would generate profits of at least €6,660,000 (Euros) within 15 to 45 days and continue to earn profits of approximately 14% per week for 40 to 42 weeks. The complaint alleged that defendants falsely promised that when an investor’s funds were deposited into an attorney’s trust account, the attorney would not release the funds until he received proof from the receiving bank that a €10,000,000 Standby Letter of Credit (“SBLC”) had been deposited into a securities trading program that was to generate the profits for investors. The complaint alleges that Banner, Express Commercial and others did not disclose that instead of using the investors’ funds to obtain SBLCs they misappropriated investors’ funds and paid the sales agents approximately 10% of the investor’s funds. Contrary to the representations, the acquisition of the SBLCs never occurred, no loans were obtained, and no promised returns were earned in a trading program or paid to investors. Over more than a year, Banner, Express Commercial and others obtained at least \$3.5 million from approximately forty-five investors nationwide and in foreign countries by making false and misleading statements or omitting material facts in the offer and sale of securities, which were not registered with the Commission at the time they were sold. In addition, the complaint alleged that Banner and Express Commercial were not registered as brokers or dealers when they offered the securities of Worldwide Funding.

IV.

In view of the foregoing, the Commission deems it appropriate and in the public interest to impose the sanctions agreed to in the Offer of Respondents Express Commercial and Banner.

Accordingly, it is hereby ORDERED pursuant to Section 15(b)(6) of the Exchange Act that Respondents Banner and Express Commercial be, and hereby are barred from association with any broker, dealer, investment adviser, municipal securities dealer, municipal advisor, transfer agent, or nationally recognized statistical rating organization; and

Pursuant to Section 15(b)(6) of the Exchange Act that Respondents Banner and Express Commercial be, and hereby are barred from participating in any offering of a penny stock, including: acting as a promoter, finder, consultant, agent or other person who engages in activities with a broker, dealer or issuer for purposes of the issuance or trading in any penny stock, or inducing or attempting to induce the purchase or sale of any penny stock.

Any reapplication for association by the Respondents will be subject to the applicable laws and regulations governing the reentry process, and reentry may be conditioned upon a number of factors, including, but not limited to, the satisfaction of any or all of the following: (a) any disgorgement ordered against the Respondent, whether or not the Commission has fully or partially waived payment of such disgorgement; (b) any arbitration award related to the conduct that served as the basis for the Commission order; (c) any self-regulatory organization arbitration award to a customer, whether or not related to the conduct that served as the basis for the Commission order; and (d) any restitution order by a self-regulatory organization, whether or not related to the conduct that served as the basis for the Commission order.

By the Commission.

Brent J. Fields
Secretary