

ADMINISTRATIVE PROCEEDING
File No. 3-17131

SEC Imposes Industry Bars on Investment Advisor and Former Chief Executive Officer of San Diego Based Penny Stock Company

May 18, 2016 – The Securities and Exchange Commission today imposed industry bars on Mark A. Lopez, the former Chief Executive Officer of Unico, Inc., a penny stock company formerly headquartered in San Diego, California.

The Commission imposed the bars based on both a final judgment against Lopez, entered on February 10, 2015, that permanently enjoined him from violating Sections 5(a) and 5(c) of the Securities Act of 1933 (“Securities Act”) and from aiding and abetting violations of Section 13(a) of the Securities Exchange Act of 1934 (“Exchange Act”) and Rules 12b-20, 13a-1, and 13a-11 thereunder, and a criminal conviction against Lopez, entered on August 21, 2015, for conspiracy to commit securities fraud in violation of 18 U.S.C. § 1349.

Lopez submitted an offer of settlement to the Commission in which he consented to the issuance of an order pursuant to Section 15(b)(6) of the Exchange Act, barring Lopez from association with any broker, dealer, investment adviser, municipal securities dealer, or transfer agent.

The Commission’s Complaint, filed on May 30, 2012 (SEC v. Mark A. Lefkowitz, et al., Case No. 8:12-CV-1219-MSS-MAP (M.D. Fla.)), alleged that, from February 2006 through January 2008, on thirty-five separate occasions, Lopez was a necessary participant and substantial factor in the unregistered distribution of billions of shares of Unico common stock, which purported to, but, did not qualify for the exemption from registration contained in Section 3(a)(10) of the Securities Act. The Commission’s Complaint further alleged that, through these unregistered issuances, Unico extinguished approximately \$4 million of outstanding debts and raised capital of approximately \$9.2 million. The Commission’s Complaint also alleged that Lopez aided and abetted Unico’s failure to file timely reports with the Commission and Unico’s filing of false and misleading disclosures with the Commission concerning the unregistered issuance of shares of Unico common stock. At the time of the alleged misconduct, Lopez held Series 7, 24, 63, and 65 licenses from FINRA and was associated with a registered broker-dealer.

On February 27, 2015, Lopez pled guilty in a related criminal proceeding to one count of conspiring to commit securities fraud in violation of 18 U.S.C. § 1349. In support of his guilty plea, Lopez admitted that, beginning in or about December 2006, he agreed with a co-conspirator and others to execute a scheme to defraud Unico shareholders and others by deceptively using the Section 3(a)(10) exemption from registration in order to issue and then sell on the open market, new shares of Unico common stock, and to “split the proceeds” between Unico and the co-conspirator or others.

The SEC's litigation was led by Suzanne J. Romajas, Assistant Chief Litigation Counsel, and Drew M. Dorman, Senior Counsel.

See also: [Order](#)