

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 93310 / October 13, 2021

ADMINISTRATIVE PROCEEDING
File No. 3-20623

In the Matter of

ROBERT J. BALUNAS,

Respondent.

**ORDER INSTITUTING
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 Robert J. Balunas (“Balunas” or “Respondent”).

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 them and the subject matter of these proceedings and the findings contained in paragraphs III.2 and 3 below, which are admitted, Respondent consent to the entry of this Order Instituting 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 Respondent’s Offer, the Commission finds that:

1. Balunas was the managing member of R. Thomas & Co., LLC (“RTC”), a Florida corporation which, on behalf of Arcturus Corporation (“Arcturus”) and Aschere Energy LLC

(“Aschere”), offered and sold securities in the form of fractionalized interests in so-called joint ventures to drill oil and gas wells. From May 2000 to at least July 2010, Balunas was a registered representative associated with Amerest Securities, Inc. (“Amerest”), a previously-registered, captive broker-dealer for Arcturus and Aschere. Before associating with Amerest in May 2000, Balunas was associated with four Commission-registered broker-dealers for approximately 21 years. Balunas, 74 years old, is a resident of Port St. Lucie, Florida.

2. On September 20, 2021, a judgment was entered by consent against Balunas, permanently enjoining him from future violations of Sections 5(a) and 5(c) of the Securities Act of 1933 (“Securities Act”), and 15(a) of the Exchange Act, in the civil action entitled Securities and Exchange Commission v. Arcturus Corporation, et al., Civil Action Number 3:13-CV-4861-K, in the United States District Court for the Northern District of Texas, Dallas Division.

3. The Commission’s complaint alleged that, beginning in at least May 2007, Ali Parvizian a/k/a Alex Parvizian (“Parvizian”) and his two companies, Arcturus and Aschere, directed Balunas and his company, RTC, to market to thousands of members of the general public nationwide investments in purported joint ventures that would conduct oil and gas exploration and drilling activities. The complaint also alleged that Balunas and RTC engaged in these activities while not registered as a broker-dealer with the Commission or associated with a broker-dealer registered with the Commission. Further, the complaint alleged that Balunas and RTC received transaction based compensation in the form of sales commissions based upon a percentage of the amount of investor funds raised.

IV.

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

Accordingly, it is hereby ORDERED pursuant to Section 15(b)(6) of the Exchange Act, that Respondent Balunas be, and hereby is 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 Respondent Balunas be, and hereby is 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 Respondent 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, compliance with the Commission’s order and payment of any or all of the following: (a) any disgorgement or civil penalties ordered by a Court against the Respondent in any action brought by the Commission; (b) any disgorgement amounts ordered against the Respondent for which the Commission waived payment; (c) any arbitration award

related to the conduct that served as the basis for the Commission order; (d) 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 (e) 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.

Vanessa A. Countryman
Secretary