

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

INVESTMENT ADVISERS ACT OF 1940
Release No. 6154 / September 28, 2022

ADMINISTRATIVE PROCEEDING
File No. 3-21175

In the Matter of

ANILESH AHUJA,

Respondent.

ORDER INSTITUTING
ADMINISTRATIVE PROCEEDINGS
PURSUANT TO SECTION 203(f) OF THE
INVESTMENT ADVISERS ACT OF 1940,
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 203(f) of the Investment Advisers Act of 1940 (“Advisers Act”) against Anilesh Ahuja (“Ahuja” 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 him, the subject matter of these proceedings, and the findings contained in paragraphs III(2), (4), and (5) below, which are admitted, Respondent consents to the entry of this Order Instituting Administrative Proceeding Pursuant to Section 203(f) of the Investment Advisers Act of 1940, 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. Ahuja, age 54, resides in Miami, Florida. Ahuja was the founder, chief executive officer, chief investment officer, and majority owner of Premium Point Investments LP ("Premium Point"), a Delaware limited partnership and New York-based registered investment adviser. Prior to founding Premium Point, Ahuja was associated with several broker-dealers registered with the Commission.

2. On September 20, 2022, a final judgment was entered by consent against Ahuja, permanently enjoining him from future violations of Section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5(a) and (c) thereunder, Sections 17(a)(1) and (3) of the Securities Act of 1933, and Advisers Act Sections 206(1), (2), and (4) and Rule 206(4)-8(a)(2) thereunder, in the civil action entitled Securities and Exchange Commission v. Premium Point Investments LP, et al., 18 Civ. 4145 (JPC), in the United States District Court for the Southern District of New York.

3. The Commission's amended complaint alleged that, from at least September 2015 through March 2016, Ahuja engaged in a fraudulent scheme to inflate the value of securities held by several private investment funds managed by Ahuja and Premium Point. The amended complaint further alleged that Ahuja sought to hide the funds' poor performance, both to stem redemptions and to persuade investors to invest in a new fund.

4. On April 22, 2022, Ahuja pleaded guilty to one violation of securities fraud [15 U.S.C. §§ 78j(b) and 78f(f); 17 C.F.R. § 240.10b-5; and 18 U.S.C. § 2] before the United States District Court for the Southern District of New York, in *United States v. Ahuja et al.*, 18 Cr. 328 (KPF) (S.D.N.Y.).

5. The count of the indictment to which Ahuja pleaded guilty alleged that Ahuja defrauded investors by participating in an effort to deceptively mismark the value of certain securities held by one of the private funds he and Premium Point managed, and thus fraudulently inflated the net asset value of the fund as reported to investors.

IV.

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

Accordingly, it is hereby ORDERED, pursuant to Advisers Act Section 203(f), that Respondent Ahuja be, and hereby is barred from association with any investment adviser, broker, dealer, municipal securities dealer, municipal advisor, transfer agent, or nationally recognized statistical rating organization.

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