

**UNITED STATES OF AMERICA**  
**Before the**  
**SECURITIES AND EXCHANGE COMMISSION**

**SECURITIES EXCHANGE ACT OF 1934**  
**Release No. 97407 / April 28, 2023**

**ADMINISTRATIVE PROCEEDING**  
**File No. 3-21399**

**In the Matter of**  
  
**PAVEL RUIZ,**  
  
**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 Pavel Ruiz (“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, Respondent admits to the Commission’s jurisdiction over him and the subject matter of these proceedings, and the findings contained in paragraph III.2. below, and consents 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. Ruiz was a board member and a sales agent for MJ Capital Funding, LLC ("MJ Capital"). At all relevant times, Ruiz acted as a broker and a person associated with a broker, but was not registered with the Commission pursuant to Section 15(a) of the Exchange Act or associated with a registered broker-dealer. Ruiz, 29 years old, is a resident of Fort Lauderdale, Florida.

2. On April 27, 2023, a judgment was entered by consent against Ruiz, permanently enjoining him from future violations of Sections 5(a), 5(c), and 17(a) of the Securities Act of 1933 ("Securities Act"), and Sections 10(b) and 15(a)(1) of the Exchange Act and Rule 10b-5 thereunder, in the civil action entitled Securities and Exchange Commission v. Pavel Ruiz, Civil Action Number 0:22-cv-61609-WPD, in the United States District Court for the Southern District of Florida.

3. The Commission's complaint alleged that from at least June 2020 through August 2021, Ruiz personally, and through his team of sales agents, solicited and raised approximately \$46 million from over 5,100 investors through fraudulent sales of securities in unregistered transactions issued by MJ Capital. The securities sold to investors were in the form of "Merchant Cash Advance Agreements." Ruiz also received commissions based on the sales of these securities. Ruiz and his sales team represented to investors that the offering proceeds would be used to make cash advance loans to businesses. The complaint alleged that Ruiz made material misrepresentations and omissions to investors, and engaged in a scheme to defraud and a course of conduct designed to deceive investors. Specifically, Ruiz made false and misleading statements to investors regarding the use of investor funds, and he misappropriated and misused about \$6.5 million of investor money that had gone directly into bank accounts he controlled.

### IV.

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

Accordingly, it is hereby ORDERED pursuant to Section 15(b)(6) of the Exchange Act that Respondent Ruiz 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 Ruiz 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