

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 99178 / December 14, 2023

ADMINISTRATIVE PROCEEDING
File No. 3-21812

In the Matter of

Scott Levine

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 Scott Levine (“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 admitting the findings herein, Respondent consents to the entry of this Order Instituting Administrative Proceedings Pursuant to Section 15(b) of the Securities Exchange Act, 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. At least from April 2019 through August 2020, Respondent was market-maker employed by an investment bank and in that role sold short securities in Fort Worth-based Global Resource Energy, Inc. (“GBEN”). Levine also interacted and communicated with one of GBEN’s undisclosed control persons, Thomas Collins (“Collins”). Levine was permanently barred by FINRA on March 25, 2022. Levine, age 44, resides in Delray Beach, Florida.

2. On November 14, 2023, Levine pled guilty to Conspiracy to Commit Securities Fraud under Title 18, United States Code, Section 371, and was sentenced to 18 months imprisonment. *United States v. Levine*, 1:23cr00262-SL-1 (N.D. Ohio). Levine was ordered by the court to pay restitution of \$787,731.38.

3. On December 4, 2023, a final judgment was entered by consent against Respondent, permanently enjoining him from future violations of Section 10(b) of the Exchange Act and Rule 10b-5(a) and (c) thereunder and Section 17(a)(1) and 17(a)(3) of the Securities Act in the civil action entitled Securities and Exchange Commission v. Thomas Collins et al., Civil Action Number 4:23-cv-00676, in the United States District Court for the Northern District of Texas.

4. The Commission's complaint alleged that Collins asked Levine to provide him with information regarding incoming bids of GBEN so that Collins could dump free-trading shares. Levine provided this information knowing that Collins controlled most of the free-trading GBEN shares and wanted to sell them into the market. The complaint further alleges that Levine, on behalf of his employer, sold short GBEN shares into the public market, matching with unsuspecting investors who wanted to buy GBEN. Collins and Levine had a verbal agreement that Levine could keep a five-percent spread on closing out his employer's short positions in GBEN. Levine received at least \$46,911.41 from these trades.

IV.

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

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

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