

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934

Release No. 102521 / March 4, 2025

ADMINISTRATIVE PROCEEDING

File No. 3-21537

In the Matter of

Murray A. Huberfeld,

Respondent.

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**ORDER ESTABLISHING
FAIR FUND AND
TRANSFERRING FAIR FUND
TO A COURT-APPOINTED
RECEIVER**

ADMINISTRATIVE PROCEEDING

File No. 3-21538

In the Matter of

**Moshe aka “Mark” Feuer
and Scott A. Taylor,**

Respondents.

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ADMINISTRATIVE PROCEEDING

File No. 3-21842

In the Matter of

David B. Bodner,

Respondent.

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On July 31, 2023, the Commission issued an Order Instituting Cease-and-Desist Proceedings, Pursuant to Sections 203(f) and 203(k) of the Investment Advisers Act of 1940 and

Section 9(b) of the Investment Company Act of 1940, Making Findings, and Imposing Remedial Sanctions and a Cease-and-Desist Order (the “Huberfeld Order”)¹ against Murray A. Huberfeld (“Huberfeld”). The Huberfeld Order required Huberfeld to pay disgorgement of \$1,464,242.21, prejudgment interest of \$224,065.21, and a civil money penalty of \$180,000.00 to the Commission and ordered that such penalty may be distributed, along with the disgorgement and prejudgment interest, pursuant to Section 308(a) of the Sarbanes-Oxley Act of 2002 (the “Sarbanes-Oxley Act”). Huberfeld has paid a total of \$1,868,721.36, as ordered.

On July 31, 2023, the Commission issued an Order Instituting Cease-and-Desist Proceedings, Pursuant to Sections 203(f) and 203(k) of the Investment Advisers Act of 1940 and Section 9(b) of the Investment Company Act of 1940, Making Findings, and Imposing Remedial Sanctions and a Cease-and-Desist Order (the “Feuer-Taylor Order”)² against Moshe aka “Mark” Feuer (“Feuer”) and Scott A. Taylor (“Taylor”). The Feuer-Taylor Order required Feuer to pay disgorgement of \$389,707.21, prejudgment interest of \$44,037.99, and a civil money penalty of \$125,000.00 to the Commission and ordered that such penalty may be distributed, along with the disgorgement and prejudgment interest, pursuant to Section 308(a) of the Sarbanes-Oxley Act. Feuer has paid a total of \$514,707.21, as ordered. The Feuer-Taylor Order required Taylor to pay disgorgement of \$344,586.00, prejudgment interest of \$42,658.63, and a civil money penalty of \$100,000.00 to the Commission and ordered that such penalty may be distributed, along with the disgorgement and prejudgment interest, pursuant to Section 308(a) of the Sarbanes-Oxley Act. Taylor has paid a total of \$487,244.63, as ordered.

On February 2, 2024, the Commission issued an Order Instituting Cease-and-Desist Proceedings, Pursuant to Sections 203(f) and 203(k) of the Investment Advisers Act of 1940 and

¹ Advisers Act Rel. No. 6358 (July 31, 2023).

² Advisers Act Rel. No. 6359 (July 31, 2023).

Section 9(b) of the Investment Company Act of 1940, Making Findings, and Imposing Remedial Sanctions and a Cease-and-Desist Order (the “Bodner Order”)³ against David B. Bodner (“Bodner”). The Bodner Order required Bodner to pay disgorgement of \$2,066,006.98, prejudgment interest of \$208,459.77, and a civil money penalty of \$180,000.00 to the Commission and ordered that such penalty may be distributed, along with the disgorgement and prejudgment interest, pursuant to Section 308(a) of the Sarbanes-Oxley Act of 2002. Bodner has paid a total of \$2,454,466.75, as ordered.

In a related civil action, *SEC v. Platinum Management (NY) LLC, et al.*, 16-cv-06848 (E.D.N.Y., filed December 19, 2016) (the “Platinum District Court Action”), the Commission charged Platinum Management (NY) LLC, Platinum Credit Management, L.P. (collectively, “Platinum”) and seven individuals associated with Platinum variously with violations of and/or aiding and abetting violations of the Investment Advisers Act of 1940, the Securities Act of 1933, and the Securities Exchange Act of 1934. On December 19, 2016, a Receiver was appointed in the Platinum District Court Action. Among other responsibilities, the Receiver is required to conduct an orderly wind down and a fair distribution of assets.

The Division of Enforcement now requests that a single Fair Fund (“Fair Fund”) be created pursuant to Section 308(a) of the Sarbanes-Oxley Act for the collective total of \$5,368,824.00 in disgorgement, prejudgment interest, and civil money penalties paid by Huberfeld, Feuer, Taylor, and Bodner (collectively, “Respondents”) and that the Fair Fund be transferred to the Receiver in the Platinum District Court Action, so that the Fair Fund can be combined with the funds obtained in that action and distributed by the Receiver to harmed investors, pursuant to a distribution plan to be approved by the Court.

³ Advisers Act Rel. No. 6540 (Feb. 2, 2024).

Accordingly, IT IS HEREBY ORDERED that:

- A. pursuant to Section 308(a) of the Sarbanes-Oxley Act, a single Fair Fund is established for the disgorgement, prejudgment interest, and civil money penalty paid by Respondents; and
- B. the Fair Fund established in Paragraph A, above, will be transferred to the Receiver's bank account established in the Platinum District Court Action, for distribution to harmed investors, pursuant to the distribution plan to be approved by the Court in that action.

By the Commission.

Vanessa A. Countryman
Secretary