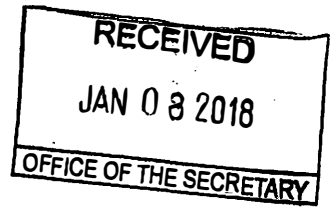


HARD COPY

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



**ADMINISTRATIVE PROCEEDING
File No. 3-17874**

In the Matter of

TALMAN HARRIS,

Respondent.

**DIVISION OF ENFORCEMENT'S
RESPONSE**

Pursuant to this Court's Order of December 4, 2017, the Division of Enforcement ("Division") hereby responds to the November 6, 2017 letter by Respondent Talman Harris ("Harris") in which Harris appears to claim, among other things, that he was not properly served with notice of this proceeding. For the reasons that follow, there is no basis to disturb this Court's Initial Decision of October 30, 2017 barring Harris from associating with a broker, dealer, investment adviser, municipal securities dealer, municipal adviser, transfer agent, or nationally recognized statistical rating organization, and from participating in any offering of penny stock.

I.

PRIOR PROCEEDINGS

The Division commenced this proceeding by Order Instituting Proceedings dated March 10, 2017 ("OIP"), seeking bars against Harris predicated on both the entry of a final judgment dated February 7, 2017, against him in a federal civil proceeding entitled SEC v. Cope. et. al. 14-cv-7575, in which he was enjoined from future violations of Section 17(a) of the Securities Act of 1933 and Section 10(b) the Exchange Act of 1934, and Rule 10b-5 thereunder (OIP ¶ 2), as well as his conviction in federal court of a count of conspiracy to commit securities fraud and wire fraud, three counts of wire fraud, and one count of obstruction of justice, in a federal criminal proceeding

entitled US v. Scholander, et al., 15-cr-335. OIP ¶ 4. Both the civil and criminal action were premised on the same constellation of conduct relating to Harris's defrauding retail investors in connection with their purchases of various securities. OIP ¶ 5.

A telephonic prehearing conference was held on May 26, 2017, in which Harris participated (although he refused to speak on the record). As reflected in the transcript of that conference, Harris confirmed that he received service of the OIP, as well as all other materials sent by the SEC. Upon consulting with both the Division and Harris, the Court set a schedule for motions for summary disposition, as outlined in the Court's May 26, 2017 Order in this matter. The Court also set a date of June 1, 2017 for Harris to submit his Answer.

The Division moved for summary disposition on June 16, 2017. Harris failed to submit his Answer, or put in any papers regarding the Division's Motion for Summary Disposition. By Initial Decision dated October 30, 2017, this Court issued its ruling barring Harris from associating with a broker, dealer, investment adviser, municipal securities dealer, municipal adviser, transfer agent, or nationally recognized statistical rating organization, and from participating in any offering of penny stock.

Following this Initial Decision, Harris submitted a letter dated November 6, 2017 claiming he did not get proper service ("November 6 Letter"). By Order dated November 30, 2017, the Commission issued an Order ratifying the appointment of its administrative law judges, and directing each ALJ to determine whether to ratify or revise any prior decision, based on a *de novo* review of the record. Following this, by Order dated December 4, 2017, this Court directed the parties to submit any evidence relevant to the record by January 5, 2018; the following, and the

accompanying materials, constitute the Division's response to the November 6 Letter as well as the Commission's November 30, 2017 Order.

II.

HARRIS'S CLAIMS DO NOT MERIT ANY REVISION OF THE INITIAL DECISION

In the November 6 Letter, Harris makes a series of claims:

- That while he was present in the telephonic prehearing conference on May 26, 2017, he could not "participate as [he] did not have a lawyer" and that he lacked proper notice of this proceeding;
- That he "was not part of any court hearing with the SEC."
- That the conduct of which he was accused "occurred ten years ago";
- That he pleaded not guilty in a parallel criminal proceeding and was "granted an appeal;"
- That he has maintained a spotless record in the industry.

These statements are either false or legally irrelevant. Consequently, they do not present any justification for disturbing the Court's Initial Decision.

Harris Received Ample Notice of the Administrative Proceeding and Participated Therein

As Harris conceded in the initial prehearing conference, he received the materials sent by the Division, including the OIP. Harris was present at that conference, in which the Court set out the briefing schedule for a Rule 250 motion, and had notice of that schedule. As there is no right to counsel in SEC enforcement proceedings (*see, e.g., SEC v. Current Financial Services*, 62 F.Supp.2d 66, 67 (D.D.C 1999)), Harris cannot deliberately absent himself from a hearing merely because he did not have counsel.

Furthermore, as the November 6 Letter shows, Harris was served with the Division's motion papers, which were sent to the proper address. The only reason that Harris was not able to access these materials was because he failed to fill out the proper paperwork with the prison authorities to receive such a package. Moreover, according to the text of that statement, this determination occurred on June 27, 2017. *See* November 6 Letter. Harris now wants the Court to reward his failure (or refusal) to follow up or submit the proper paperwork. There is no basis to do so.

Harris Participated Fully in the Federal SEC Action

Harris appears to be claiming that he did not have the opportunity to participate in the civil action filed against him and that he was "not part of any court hearing with the SEC." He also claims that he has "never spoken to Mr. Enright of the SEC."

As noted in the Accompanying Declaration of Howard Fischer dated January 8, 2018 ("Fischer Decl."), the Commission served Harris in multiple fashions, including via email and mail. The Commission also had numerous discussions with Harris's criminal counsel, Jack Sammon. The Commission sent draft settlement documents to Mr. Sammon, and had discussions with him telephonically and via email. In those exchanges Mr. Sammon advised the Commission that he had discussed the proposed settlement with Harris, and that Harris had questions about the terms, questions which were ultimately discussed with the Commission. A sampling of some of these communications is attached to the Fischer Declaration as Exhibit A.

Moreover, although Harris ultimately declined to submit an Answer to the Amended Complaint, he appeared in the Civil Action multiple times. First, prior to the Commission's submission of its Order to Show Cause, through his counsel in the parallel criminal case, Harris

requested that the Civil Action be stayed by letter dated December 3, 2015. Fischer Decl. Exhibit B. In a subsequent letter, dated January 8, 2016, Harris again asked for a stay. Fischer Decl. Ex. C. On January 19, 2016, the Court stayed the default motion pending the completion of Harris's criminal proceedings. Fischer Decl. Ex. D. Then, by letter dated October 6, 2016, Harris requested a stay of the default pending his collateral attack on his conviction. Fischer Decl. Ex. E. In response, by Order dated October 26, 2016, the District Court directed Harris that his response to the Commission's Order to Show Cause was due seven days after he was sentenced. Fischer Decl. Ex. F.

Thus, the record conclusively demonstrates that Harris had notice of and participated fully in the SEC's civil action against him.

Harris's Wrongful Conduct is Of Recent Vintage

Similarly baseless is the claim that the conduct that forms the basis of his bar "occurred ten years ago." November 6 Letter. As set out in the Amended Complaint annexed as Exhibit 1 to the June 16, 2017 Declaration of John Enright submitted by the Division in support of its motion for disposition ("Enright June 16 Decl."), the relevant conduct occurred approximately five years before the initial complaint was filed. Furthermore, the Superseding Indictment annexed as Exhibit 9 thereto (and filed on June 27, 2016) set out a criminal scheme including Harris that extended through September 18, 2014.

Harris's Appeal is Legally Irrelevant, As Is His Claimed Innocence

That Harris claims he is innocent, or that his case is on appeal, is of no import. It is established beyond peradventure that claims of innocence are legally irrelevant: the principal basis for an associational bar is either a criminal conviction, or the entry of an injunction in a civil

action.¹ Under such circumstances, summary disposition is warranted. *Joseph Contorinis*, Initial Decision Rel. No. 503, 2013 WL 4478642, at * 2 (Aug. 22, 2013), *aff'd*, Exchange Act Rel. No. 72031, 2014 WL 1665995 (Apr. 25, 2014); *Paul D. Crawford*, Initial Decision Rel. No. 1001, 2016 WL 1554845, at *2 (Apr. 18, 2016); *Stuart E. Rawitt*, Initial Decision Rel. No. 782, 2015 WL 1907623, at *2 (Apr. 28, 2015). Furthermore, the pendency of an appeal does not preclude the Commission from action based on an injunction (*James E. Franklin*, Exchange Act Rel. No. 56649, 2007 WL 2974200, at *4 (Oct. 12, 2007); *Stephan Von Hase*, Exchange Act Release No. 1061, 2016 WL 4942318, at *2 (Sept. 16, 2016)). or based on a criminal conviction. *Elliott v. SEC*, 36 F.3d 86, 87 (11th Cir. 1994) (“Nothing in the statute’s language prevents a bar [from being] entered if a criminal conviction is on appeal.”); *Hunt v. Liberty Lobby, Inc.*, 707 F.2d 1493, 1497 (D.C. Cir. 1983) (“Under well-settled federal law, the pendency of an appeal does not diminish the *res judicata* effect of a judgment rendered by a federal court.”)

Harris Does Not Have a Spotless Record

Finally, Harris’s claim that he has had a “spotless brokerage record for nearly 2 decades” is risible. In addition to the conduct that was the subject of the criminal and civil proceeding referenced herein, Harris has a long history of malfeasance, culminating in his permanent bar from associating with any Financial Industry Regulator Authority (“FINRA”) member firm. FINRA’s

¹ Section 15(b)(6) of the Securities Exchange Act of 1934 (“Exchange Act”) [15 U.S.C. § 78(o)(b)(6)] provides that the Commission can bar any person who is associated or was associated with a broker or dealer, upon a showing that the person has been convicted of a felony that (i) “involves the purchase or sale of any security,” (ii) “arises out of the conduct of the business of a broker, dealer [or] investment adviser,” or (iii) “involves the larceny, theft, robbery, extortion, forgery, counterfeiting, fraudulent concealment, embezzlement, fraudulent conversion, or misappropriation of funds, or securities, or substantially equivalent activity,” within the meaning of Sections 3(a)(4)(A); 15(b)(4)(B)(i), (ii), (iii); and 15(b)(6)(A)(ii) of the Exchange Act. This section further provides that such a person may also be barred if that person has been “enjoined from any action, conduct, or practice specified” in this section.

bar was upheld by the SEC on appeal, and ultimately by the Second Circuit. *Harris v. SEC*, 2017 WL 4817361 (2d Cir. Oct. 25, 2017). As Harris's CRD Report from FINRA shows, Harris has wandered through the industry, racking up employment at 18 firms, six of which have been expelled from FINRA, has been named in numerous disciplinary complaints, and has been sanctioned repeatedly. Fischer Decl. Ex. G.

III.

THE COURT'S INITIAL DECISION SHOULD STAND

On November 30, 2017, the Commission issued an order ratifying the prior appointment of its Administrative Law Judges to preside over administrative proceedings. *See In re: Pending Administrative Proceedings*, Securities Act Release No. 10440 (Nov. 30, 2017). As applied to this proceeding, the order directs the Administrative Law Judge to determine, based on a *de novo* reconsideration of the full administrative record, whether to ratify or revise in any respect all prior actions taken by any administrative law judge during the course of this proceeding. *Id.* at 1-2.

It is well established that subsequent ratification of an earlier decision rendered by an unconstitutionally appointed officer remedies any alleged harm or prejudice caused by the violation. *See Doolin Sec. Sav. Bank, F.S.B. v. Office of Thrift Supervision*, 139 F.3d 203, 213-14 (D.C. Cir. 1998); *FEC v. Legi-Tech, Inc.*, 75 F.3d 704, 707-09 (D.C. Cir. 1996). That principle applies whether or not the ratifying authority is the same person who made the initial decision, so long as "the ratifier has the authority to take the action to be ratified," and, "with full knowledge of the decision to be ratified," makes a "detached and considered affirmation of th[at] earlier decision." *Advanced Disposal Services East, Inc. v. NLRB*, 820 F.3d 592, 602-03 (3d Cir. 2016).

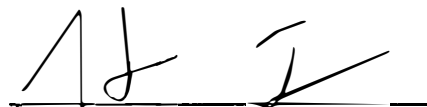
Accordingly, to implement this remedy, the administrative law judge should conduct a *de novo* review of the administrative record, engage in an independent evaluation of the merits through the exercise of detached and considered judgment, and then determine whether prior actions should be ratified and thereby affirmed. This process ensures “that the ratifier does not blindly affirm the earlier decision without due consideration.” *Advanced Disposal Services East*, 820 F.3d at 602-03.

The Division submits that the previous decisions issued by an administrative law judge in this proceeding, including the Initial Decision issued on October 30, 2017, were well-founded and respectfully requests that they be ratified.

CONCLUSION

Based on the foregoing, there is no basis for disturbing the conclusion reached by the Court in its Initial Decision.

Dated: New York, New York
January 5, 2018



Howard Fischer, Esq.
John O. Enright, Esq.
New York Regional Office
Securities and Exchange Commission
200 Vesey Street, Suite 400
New York, NY 10281
Tel.: (212) 336-0589
FischerH@SEC.gov
EnrightJ@SEC.gov

Attorneys for the Division of Enforcement

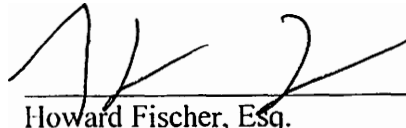
CERTIFICATE OF SERVICE

The undersigned counsel for the Division of Enforcement hereby certifies that he has served the foregoing documents by UPS Overnight Delivery, email, and fax on this day and addressed as follows:

By UPS Overnight Delivery and Fax (202-772-9324)
Brent Fields, Secretary
Office of the Secretary
U.S. Securities and Exchange Commission
100 F. Street, N.E., Mail Stop 1090
Washington D.C. 20549

By UPS Overnight Delivery and Email
The Honorable Cameron Elliot
Administrative Law Judge
U.S. Securities and Exchange Commission
100 F. Street, N.E., Mail Stop 2557
Washington D.C. 20549
ALJ@SEC.Gov

Talman Harris (Register #72796-054)
USP Canaan
3057 Easton Turnpike
Waymart, PA 18472
talman.harris@gmail.com



Howard Fischer, Esq.
New York Regional Office
Securities and Exchange Commission
200 Vesey Street, Suite 400
New York, NY 10281
Tel.: (212) 336-0589
FischerH@SEC.gov
Attorney for the Division of Enforcement

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UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

ADMINISTRATIVE PROCEEDING

File No. 3-17874

In the Matter of

TALMAN HARRIS,

Respondent.

DECLARATION OF HOWARD A. FISCHER

DECLARATION OF HOWARD A. FISCHER

I, Howard A. Fischer, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am employed as a Senior Trial Counsel with the Division of Enforcement (“Division”) in the New York Regional Office of the United States Securities and Exchange Commission (“Commission”). I am an attorney assigned to prosecute this administrative proceeding. I have personal knowledge of the facts set forth herein, and if called as a witness I could and would competently testify as to the matters set forth in this Declaration.
2. I make this Declaration in order to set out some of the prior proceedings involving Respondent Talman Harris (“Harris”), and to introduce documents relevant to this application.
3. Harris had a full opportunity to participate in the civil litigation that led to the entry of a final judgment dated February 7, 2017, against him in a federal civil proceeding entitled SEC v. Cope, et. al, 14-cv-7575, in which he was enjoined from future violations of

Section 17(a) of the Securities Act of 1933 and Section 10(b) the Exchange Act of 1934, and Rule 10b-5 thereunder.

4. During the civil litigation, the Commission served Harris in multiple fashions, including via email and mail. The Commission also had numerous discussions with Harris's criminal counsel, Jack Sammon. The Commission sent draft settlement documents to Mr. Sammon, and had discussions with him telephonically and via email. In those exchanges Mr. Sammon advised the Commission that he had discussed the proposed settlement with Harris, and that Harris had questions about the terms, questions which were ultimately discussed with the Commission. A sampling of some of these communications is attached to this Declaration as Exhibit A.

5. Although Harris ultimately declined to submit an Answer to the Amended Complaint, he appeared in the Civil Action multiple times. First, prior to the Commission's submission of its Order to Show Cause, through his counsel in the parallel criminal case, Harris requested that the Civil Action be stayed by letter dated December 3, 2015. That request is attached hereto as Exhibit B.

6. In a subsequent letter, dated January 8, 2016, Harris again asked for a stay – this time directly. On January 19, 2016, the Court stayed the default motion pending the completion of Harris's criminal proceedings. Then, by letter dated October 6, 2016, Harris requested a stay of the default pending his collateral attach on his conviction. These documents are attached hereto, respectively, as Exhibits C, D and E.

7. In response, by Order dated October 26, 2016, the District Court directed Harris that his response to the Commission's Order to Show Cause was due seven days after he was sentenced. This Order is attached hereto as Exhibit F.

8. Harris's claim that he had a "spotless brokerage record" is belied by the evidence of that record. In addition to the conduct that was the subject of the criminal and civil proceeding referenced herein, Harris has a long history of malfeasance, culminating in his permanent bar from associating with any Financial Industry Regulator Authority ("FINRA") member firm. FINRA's bar was upheld by the SEC on appeal, and ultimately by the Second Circuit. *Harris v. SEC*, 2017 WL 4817361 (2d Cir. Oct. 25, 2017).

9. As Harris's CRD Report from FINRA shows, Harris has wandered through the industry, racking up employment at 18 firms, six of which have been expelled from FINRA, has been named in numerous disciplinary complaints, and has been sanctioned repeatedly. See Exhibit G hereto.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this Declaration was signed in New York City, New York on January 5, 2018.

By: 

Howard A. Fischer

Fischer, Howard

From: Jack Sammon [REDACTED]@gmail.com>
Sent: Tuesday, January 19, 2016 9:07 PM
To: Enright, John
Cc: [REDACTED]@gmail.com; Fischer, Howard
Subject: Re: SEC v. Cope, 14 Civ. 7575 (S.D.N.Y.) (DLC)

Thank you, John.

Sent from my iPhone

On Jan 19, 2016, at 4:51 PM, Enright, John <enrightj@SEC.GOV> wrote:

Mr. Harris and Jack:

I have attached a copy of the order that Judge Cote just filed on ECF.

Sincerely,

John

John O. Enright
Division of Enforcement
U.S. Securities and Exchange Commission
200 Vesey Street, Suite 400
New York, NY 10281
(212) 336-9138
enrightj@sec.gov

From: Enright, John
Sent: Tuesday, January 19, 2016 10:11 AM
To: [REDACTED]@gmail.com'; 'Jack Sammon'
Cc: Fischer, Howard
Subject: SEC v. Cope, 14 Civ. 7575 (S.D.N.Y.) (DLC)

Mr. Harris and Jack:

Judge Cote stayed the SEC's case against you, Mr. Harris, and the other remaining defendants at a hearing on Friday afternoon. She ordered the SEC to give her a status report by April 1, 2016 on the status of the criminal proceeding against you and the other remaining defendants. She has not yet entered an order on the docket, but when she does we will forward you both a copy.

Sincerely,

John

John O. Enright
Division of Enforcement

U.S. Securities and Exchange Commission
200 Vesey Street, Suite 400
New York, NY 10281
(212) 336-9138
enrightj@sec.gov

<DE 220 1.19.16 Order Staying Proceeding.pdf>

Fischer, Howard

From: Jack Sammon <[REDACTED]@gmail.com>
Sent: Monday, December 14, 2015 4:07 PM
To: Fischer, Howard
Cc: Enright, John
Subject: Re: SEC v. Cope, et al. (Talman Harris)

Howard:

I talked to Talman and he has the same question I did. Under your suggested bifurcated settlement, you said the issue of liability is settled without an admission on his part. Because of the pending criminal case, we are obviously very concerned with anything resembling an admission. Please explain how the language would read in your proposed settlement.

Thanks--Jack

On Wed, Dec 9, 2015 at 11:52 AM, Fischer, Howard <FischerH@sec.gov> wrote:

We look forward to hearing back from you. As my earlier email notes, we have a very limited amount of time to work out a mutually satisfactory resolution.

From: Jack Sammon [[mailto:\[REDACTED\]@gmail.com](mailto:[REDACTED]@gmail.com)]
Sent: Wednesday, December 09, 2015 10:21 AM
To: Fischer, Howard
Cc: Enright, John
Subject: Re: SEC v. Cope, et al. (Talman Harris)

Howard:

Thank you for your response. Let me check with Talman. As I stated at the end of my letter, I don't intend to represent him in this matter.

Jack

On Wed, Dec 9, 2015 at 10:07 AM, Fischer, Howard <FischerH@sec.gov> wrote:

Jack:

We received a copy of your letter to Judge Cote regarding Talman Harris. As you seem to be aware, we will be moving for a default against him next Friday. We remain open, however, to the possibility of settling the claims against him, but will need to do so quickly so that we do not needlessly take the time to draft papers against him. Right now there is a window of opportunity – which is rapidly closing – to resolve this matter by agreement, rather than by motion practice.

If you are interested in discussing this possibility, let's set up a time to talk either today or tomorrow.

Regards,

Howard Fischer

Howard Fischer

Senior Trial Counsel

Securities & Exchange Commission

Brookfield Place, 200 Vesey Street

Room 17-216

New York, NY 10281.

Tel: (212) 336-0589

Cell: [REDACTED]

Fax: (703) 813-9490

FischerH@SEC.gov

Fischer, Howard

From: Jack Sammon [redacted]@gmail.com>
Sent: Monday, December 14, 2015 9:14 PM
To: Fischer, Howard
Cc: Enright, John
Subject: Re: SEC v. Cope, et al. (Talman Harris)

Thank you, Howard. I forwarded your email to Talman and I'll let you know what he will do.

Sent from my iPhone

On Dec 14, 2015, at 7:09 PM, Fischer, Howard <FischerH@SEC.GOV> wrote:

Jack:

Attached is a form settlement, retaining the "no admit, no deny" language. This would ameliorate the concerns you and your client have raised.

Please have your client execute the attached and return to us. You can email a copy of the signed consent and send the original by fedex. If you can get this back to us by tomorrow (Tuesday, December 15) that would be greatly appreciated, given the court-ordered Friday deadline for the default motion.

From: Jack Sammon [mailto:[redacted]@gmail.com]
Sent: Monday, December 14, 2015 4:07 PM
To: Fischer, Howard
Cc: Enright, John
Subject: Re: SEC v. Cope, et al. (Talman Harris)

Howard:

I talked to Talman and he has the same question I did. Under your suggested bifurcated settlement, you said the issue of liability is settled without an admission on his part. Because of the pending criminal case, we are obviously very concerned with anything resembling an admission. Please explain how the language would read in your proposed settlement.

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If you are interested in discussing this possibility, let's set up a time to talk either today or tomorrow.

Regards,

Howard Fischer

Howard Fischer

Senior Trial Counsel

Securities & Exchange Commission

Brookfield Place, 200 Vesey Street

Room 17-216

New York, NY 10281.

Tel: (212) 336-0589

Cell: [REDACTED]

Fax: (703) 813-9490

FischerH@SEC.gov

<Harris Judgment to send to counsel.pdf>

<Harris Consent to send to counsel.pdf>

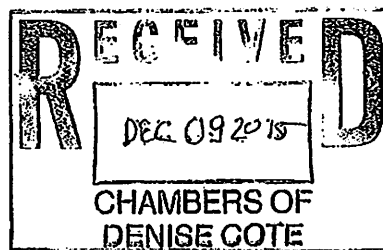
D&F
12/10/15

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 12/10/2015	John D. Sammon <i>Attorney at Law</i> 19885 Detroit Road, #178 Cleveland, Ohio 44116 440-503-5225 jack.sammon66@gmail.com
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December 3, 2015

Via Regular U.S. Mail

Honorable Denise L. Cote
United States District Court
Southern District of New York
500 Pearl Street, Room 1610
New York, New York 10007



Re: SEC v. Cope, et al.
Case No. 1:14-CV-07575-DLC

Dear Judge Cote:

I represent Talman Harris in the pending criminal case in the Northern District of Ohio, Case Number 1:15CR335. All five of the defendants in this case, including Mr. Harris, are defendants in the above-captioned case assigned to Your Honor.

Last night I was advised of this case in your Court by an attorney who forwarded me the Amended Complaint filed on June 15, 2015 (Doc. 107) and a status letter submitted by SEC Counsel John O. Enright on October 7, 2015. (Doc. 171). As Mr. Enright wrote in his letter at page 6: "The conduct underlying the criminal charges is the same conduct underlying the Commission's claims against Harris in this action."

Because of the pending criminal case, and the fact that the allegations are the same in both cases, my client wishes to exercise his right against self-incrimination. I respectfully request that the Court stay the civil case until the criminal case is concluded. Judge Benita Y. Pearson recently granted a joint motion for continuance of the trial and declared the case complex. The trial is now scheduled to commence on February 16, 2016.

Talman A. Harris
106 Long Drive
Hempstead, NY 11550

Contact: [REDACTED]
Email: [REDACTED]@gmail.com

The Honorable Denise Cote
United States District Court, SDNY
500 Pearl Street Room 1610
New York, NY 10007

JCF
1/13/16

January 8, 2016

Re: SEC v. Cope, et al., No. 14 Civ. 7575 (DLC)

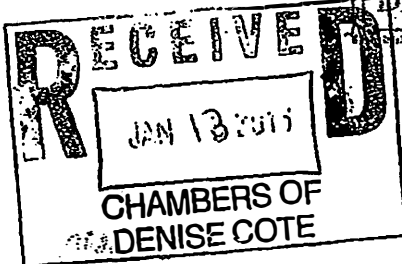
Your Honor,

I am writing to you today to ask you to please stay this case in New York for many reasons:

1. Currently I am vigorously defending myself against a criminal case that is in Ohio.
2. I believe that majority of the allegations in the SEC matter in New York are pretty much the same as the criminal matter in Ohio.
3. The SEC has not furnished me with discovery as of yet, so I have nothing to review to prepare to defend my innocence.

I am humbly asking for you to stay my SEC case in New York so that I can focus on defending myself in the criminal matter in Ohio. Also this will also give me the time needed to receive, review and prepare me for the SEC case in New York.

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 1/13/2016
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Respectfully Submitted,


Talman A. Harris

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

-v-

JASON COPE, IZAK ZIRK DE MAISON (F/K/A):
IZAK ZIRK ENGELBRECHT), GREGORY :
GOLDSTEIN, STEPHEN WILSHINSKY, TALMAN :
HARRIS, WILLIAM SCHOLANDER, JACK :
TAGLIAFERRO, VICTOR ALFAYA, JUSTIN :
ESPOSITO, KONA JONES BARBERA, LOUIS :
MASTROMATTEO, ANGELIQUE DE MAISON, :
TRISH MALONE, KIERNAN T. KUHN, PETER :
VOUTSAS, RONALD LOSHIN, GEPCO, LTD., :
SUNATCO LTD., SUPRAFIN LTD., :
WORLDBRIDGE PARTNERS, TRAVERSE :
INTERNATIONAL, and SMALL CAP RESOURCE :
CORP., :

Defendants,

And

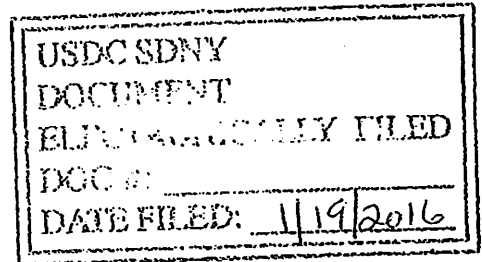
ANGELIQUE DE MAISON,

Relief Defendant.

----- X

14cv7575 (DLC)

ORDER



DENISE COTE, District Judge:

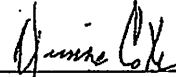
Defendants Talman Harris, William Scholander, and Victor Alfaya were added to this action on June 15, 2015. For the reasons stated on the record at the January 15 conference, it is hereby

ORDERED that this case is stayed against defendants Harris, Scholander, and Alfaya pending the prosecution of the three defendants, which is scheduled for trial in Ohio in February of

2016.

IT IS FURTHER ORDERED that the SEC shall file a status update on April 1, 2016.

Dated: New York, New York
January 19, 2016



DENISE COTE
United States District Judge

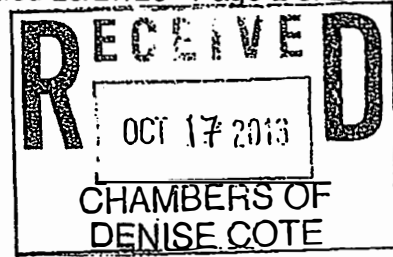
COPIES MAILED TO:

William Scholander
[REDACTED], [REDACTED]
New York, NY [REDACTED]

Victor Alfaya
32 Linwood Road South
Port Washington, NY 11050

T. A. Harris

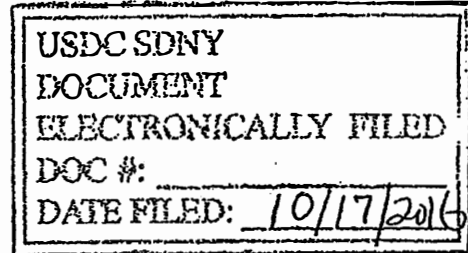
██████████,
Garden City, NY ██████████



October 6, 2016

(VIA Certified Mail)

Hon. Denise L. Cote
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007




Re: SEC v. Talman Harris
Docket Number: 14 CV 7575 (DLC)

Dear Judge Cote:

I am a named defendant in the above-captioned matter. I respectfully request a stay of the issuance of a default judgment against me. I am a defendant in an action in the Northern District of Ohio, United States of America v. Talman Harris, 15-CV-335-BYP, where Judge Benita Y. Pearson has not yet ruled on my Rule 29, Rule 33 motions other constitutional issues currently pending before her, Docket Entry 227.

Sincerely,


Talman Harris

CERTIFIED MAIL

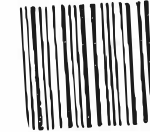
Talman Harris
106 Long Drive
Garden City, NY 11550



7015 3010 0000 9031 8084



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10007

U.S. POSTAGE
PAID
WEST HEMPSTEAD, NY
11552
OCT 13, 16
AMOUNT

\$3.77

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USMP3
SDNY

Hon. Denise Cote
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

RECEIVED
OCT 17 2016
CHAMBERS OF
DENISE COTE

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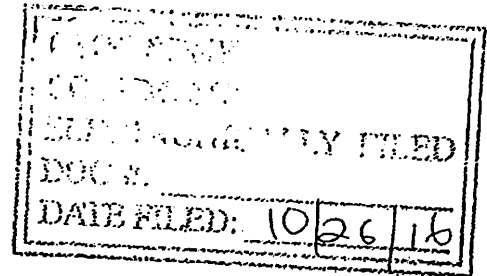


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
 :
 SECURITIES AND EXCHANGE COMMISSION, :
 :
 Plaintiff, :
 :
 -v- :
 :
 JASON COPE, IZAK ZIRK DE MAISON (F/K/A) :
 IZAK ZIRK ENGELBRECHT), GREGORY :
 GOLDSTEIN, STEPHEN WILSHINSKY, TALMAN :
 HARRIS, WILLIAM SCHOLANDER, JACK :
 TAGLIAFERRO, VICTOR ALFAYA, JUSTIN :
 ESPOSITO, KONA JONES BARBERA, LOUIS :
 MASTROMATTEO, ANGELIQUE DE MAISON, :
 TRISH MALONE, KIERNAN T. KUHN, PETER :
 VOUTSAS, RONALD LOSHIN, GEPCO, LTD., :
 SUNATCO LTD., SUPRAFIN LTD., :
 WORLDBRIDGE PARTNERS, TRAVERSE :
 INTERNATIONAL, and SMALL CAP RESOURCE :
 CORP., :
 :
 Defendants, :
 And :
 :
 ANGELIQUE DE MAISON, :
 :
 Relief Defendant. :
 ----- X

14cv7575 (DLC)

ORDER



DENISE COTE, District Judge:

On October 3, 2016, the Securities and Exchange Commission ("SEC") was ordered to file an order to show cause for entry of a default judgment ("OTSC") against any defendant against whom claims remain pending and who is in default. There are two such defendants: Talman Harris ("Harris") and Victor Alfaya ("Alfaya"). For the following reasons, the SEC's application for the OTSC against Harris and Alfaya remains due on October

31, 2016, but the time for each of these defendants to respond is stayed until seven days after they are sentenced on the related criminal charges of which they have recently been found guilty. The background to this Order follows.

The SEC commenced this action on September 18, 2014. Harris and Alfaya were added as defendants on June 15, 2015. On December 18, 2015, an OTSC was issued against Harris, Alfaya and one other defendant for their failure to respond to the complaint.

At a January 15, 2016 conference, the SEC confirmed that there were ongoing criminal proceedings against Harris and Alfaya in Ohio. Relying on the six-factor balancing test in Louis Vuitton Malletier S.A. v. LY USA, Inc., 676 F.3d 83, 97 (2d Cir. 2012),¹ the Court stayed action on the SEC's application for entry of a default judgment. Among other things, criminal defendants retain their Fifth Amendment right against self-

¹ In evaluating whether the "interests of justice" favor entering a stay in a civil action pending the resolution of criminal prosecutions, courts must balance the following factors: "1) the extent to which the issues in the criminal case overlap with those presented in the civil case; 2) the status of the case, including whether the defendants have been indicted; 3) the private interests of the plaintiffs in proceeding expeditiously weighed against the prejudice to plaintiffs caused by the delay; 4) the private interests of and burden on the defendants; 5) the interests of the courts; and 6) the public interest." Louis Vuitton, 676 F.3d at 99 (citation omitted).

incrimination until sentenced on any criminal charges on which they have been found guilty. See, e.g., Mitchell v. United States, 526 U.S. 314, 328-29 (1999). The SEC was required to provide status letters regarding the criminal prosecution.

The SEC has informed the Court that the two defendants are due to be sentenced in mid-December. Alfaya has entered a plea of guilty and is scheduled to be sentenced on December 14, 2016. Harris was found guilty at trial of one count of conspiracy to commit securities fraud or wire fraud in violation of 18 U.S.C. § 1349; three counts of wire fraud in violation of 18 U.S.C. § 1343; and one count of obstruction of justice in violation of 18 U.S.C. § 1503. See United States v. Harris et al., 15cr335 (N.D. Ohio Sept. 7, 2016). Harris is scheduled to be sentenced on December 15, 2016.

On October 3, the Court issued an order stating that any order to show cause for entry of a default against any defendant who is currently in default and with whom a settlement had not been executed is due by October 31. On October 17, the Court received a letter from Harris requesting a stay of the issuance of a default judgment against him until his post-trial motions have been decided by the Ohio district court. On October 24, 2016, the SEC filed a responsive letter requesting that the Court enter a default against Harris.

Accordingly, it is hereby


ORDERED that the SEC shall file and serve any supplement to its OTSC application for either Harris or Alfaya by October 31, 2016.

IT IS FURTHER ORDERED that the SEC shall serve this Order promptly on Harris and Alfaya.

IT IS FURTHER ORDERED that Harris shall file any response by December 22, 2016, or if the sentencing date of December 15 is adjourned, by seven days after the sentence is imposed upon him in open court.

IT IS FURTHER ORDERED that Alfaya shall file any response by December 21, 2016, or if the sentencing date of December 14 is adjourned, by seven days after the sentence is imposed upon him in open court.

Dated: New York, New York
October 26, 2016



DENISE COTE
United States District Judge

TALMAN ANTHONY HARRIS

CRD#: 3209947

 Previously Registered Broker

Ø BARRED

The SEC has barred this individual from engaging in certain activities. Please see the detailed report for additional information. FINRA has barred this individual from acting as a broker or otherwise associating with a broker-dealer firm.

<p>6 Disclosures</p>	<p>15 Years of Experience 18 Firms</p>
<p>3 Exams Passed</p>	<p>0 State Licenses</p>

 Disclosures 

3/10/2017

Regulatory

Pending



Initiated By

UNITED STATES SECURITIES AND EXCHANGE COMMISSION

Allegations

SEC Admin Release 34-80197 / March 10, 2017: 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 Talman Harris ("Respondent" or "Harris"). The Division of Enforcement alleges that Between approximately February 2008 and November 2009, Respondent defrauded investors in Lenco Mobile Inc. ("Lenco"), an issuer with common stock registered pursuant to Section 12(g) of the Exchange Act that was subject to Exchange Act reporting obligations pursuant to Section 13(a). While acting as a registered representative associated with broker-dealers registered with the Commission, Respondent bought Lenco stock in his customers' accounts in exchange for undisclosed commissions paid to him by Lenco's principal. Respondent participated in an offering of Lenco stock, which was a penny stock. On February 7, 2017, a final judgment was entered against Harris, permanently enjoining him from future violations of Section 17(a) of the Securities Act of 1933 ("Securities Act") and Section 10(b) of the Exchange Act and Rule 10b-5 thereunder, in Civil Action Number 1:14-cv-07575, in the United States District Court for the Southern District of New York. On September 7, 2016, Harris was convicted of one count of conspiracy to commit securities fraud, 18 U.S.C. § 1348, and wire fraud, 18 U.S.C. § 1343, in violation of 18 U.S.C. § 1349; three counts of wire fraud in violation of 18 U.S.C. § 1343; and one count of obstruction of justice in violation of 18 U.S.C. §§ 2, 1503, before the United States District Court for the Northern District of Ohio, in Crim. Indictment No. 1:15-cr-335. On January 26, 2017, a judgment in the criminal case was entered against Harris. He was sentenced to a prison term of 60 months followed by five years of supervised release and ordered to make restitution in the amount of \$843,423.91.

SanctionDetails

 Arbitration Details

 Disciplinary Action Details

criminalCharges	[object Object],[object Object],[object Object]
Charges	18 USC 1349 Conspiracy to Commit Securities and Wire Fraud; 18 USC 1348 Securities Fraud; 18 USC 1343 Wire Fraud
Charge Type	FELONY
Disposition	Convicted
Charges	Wire Fraud
Charge Type	FELONY
Disposition	Convicted
Charges	Obstruction of Justice
Charge Type	FELONY
Disposition	Convicted

[↗ Arbitration Details](#)

[↗ Disciplinary Action Details](#)

Initiated By UNITED STATES SECURITIES AND EXCHANGE COMMISSION

Allegations

The Securities and Exchange Commission (the "Commission") alleges that this case concerns a series of sophisticated fraudulent schemes orchestrated by an individual and a series of confederates. These schemes involved the control and manipulation of the common stock of various microcap issuers, including Lenco Mobile Inc., with the ticker symbol LNCM ("Lenco"); Kensington Leasing, Ltd., with the ticker symbol KNSL ("Kensington Leasing"); Wikifamilies Inc., with the ticker symbol WFAM ("Wikifamilies"); Casablanca Mining Ltd., with the ticker symbol CUAU ("Casablanca"); Lustrus Inc. with the ticker symbol LSTS ("Lustrus"); and Gepco, Ltd., with the ticker symbol GEPC ("Gepco"). Collectively, these issuers will be referred to as the "Fraudulent Issuers." The schemes, which took place between approximately 2008 and 2014, followed the same general blueprint: the individual would cause each issuer to issue tens of millions of shares of restricted stock to him and his nominees, which he then used for two types of illegal distributions. In the first type of illegal distribution, the individual, along with his confederates, illegally sold the shares into the public market, often by inducing Harris, and others (the "Registered Representative Defendants"), to place buy orders in their customers' accounts with the purpose of matching trades with the individual's sales. In the second type of illegal distribution, the individual and his confederates paid unregistered individuals undisclosed commissions to sell his shares to investors in purported private placements. In both, the individual, the Registered Representative Defendants, and unregistered individuals frequently made misrepresentations and omissions to investors in connection with the sales of these shares. Harris directly or indirectly, singly or in concert, has engaged in acts, practices, and courses of business that constitute violations of Section 17(a)(2) and (a)(3) of the Securities Act and Section 10(b) of the Exchange Act and Rule 10b-5(b) thereunder.

Resolution Judgment Rendered

SanctionDetails [object Object],[object Object],[object Object],[object Object]

Sanctions Civil and Administrative Penalty(ies)/Fine(s)

Sanctions Disgorgement

SanctionDetails

[object Object]
Amount \$775,104.00

Sanctions Monetary Penalty other than Fines

Sanctions Injunction

Sanctions bar

[Arbitration Details](#)

[Disciplinary Action Details](#)

Firm Name RADNOR RESEARCH & TRADING COMPANY LLC

Termination Type Discharged

Allegations A DECISION OF THE NAC TO UPHOLD THE SANCTION PLACED ON MR. HARRIS BY A FINRA HEARING PANEL.

[Arbitration Details](#)

[Disciplinary Action Details](#)

Initiated By FINRA

Allegations HARRIS WAS NAMED A RESPONDENT IN A FINRA COMPLAINT ALLEGING THAT HE PREVENTED A REVIEW BY HIS MEMBER FIRM'S HOME OFFICE COMPLIANCE STAFF OF A WRITTEN CUSTOMER COMPLAINT BY MARKING THE EMAIL AS PRIVILEGED. THE COMPLAINT ALLEGES THAT HARRIS HAD AN OBLIGATION TO BRING THE CUSTOMER'S COMPLAINT LETTER TO THE ATTENTION OF THE FIRM'S COMPLIANCE STAFF SO THAT THEY COULD TAKE APPROPRIATE ACTION.

Resolution Decision

SanctionDetails [object Object],[object Object]
 Sanctions Civil and Administrative Penalty(ies)/Fine(s)

SanctionDetails [object Object]
 Amount \$50,000.00

Sanctions Suspension
 SanctionDetails [object Object]
 Registration Capacities Affected Any capacity
 Duration six months
 Start Date 12/19/2016
 End Date 6/18/2017

Regulator Statement Amended Default decision rendered October 18, 2016 wherein respondent Harris is suspended in all capacities for six months and is fined \$50,000. The sanctions are based on findings that Harris prevented a review by his member firm's home office

compliance staff of a written customer complaint by marking the email as privileged. The findings stated that Harris had an obligation to bring the customer's complaint letter to the attention of the firm's compliance staff so that they could take appropriate action. This default decision is amended to clarify that Harris is suspended in all capacities. The decision became final on November 15, 2016.

[Arbitration Details](#)[Disciplinary Action Details](#)

Initiated By

FINRA

Allegations

WILLFULLY VIOLATED SECTION 10(B) OF THE SECURITIES EXCHANGE ACT OF 1934, RULE 10B-5 PROMULGATED THEREUNDER, VIOLATED FINRA RULES 2010, 2020, NASD RULES 3110, 3030: HARRIS AND THREE INDIVIDUALS ENTERED INTO A CONSULTING AGREEMENT WITH A COMPANY, PURSUANT TO WHICH THE COMPANY WAS TO PAY THEM \$350,000 TO PERFORM FINANCIAL ADVISORY SERVICES. THE COMPANY PAID THEM \$350,000, ALTHOUGH NO ADVISORY SERVICES WERE PROVIDED, AND THEY USED THE MONEY TO START A BRANCH OF A MEMBER FIRM. HARRIS, ONE OF THE INDIVIDUALS, AND BROKERS AT THE BRANCH WORKING UNDER THEIR DIRECTION SOLICITED AND RECOMMENDED THE PURCHASE OF OVER \$2.8 MILLION OF COMPANY STOCK TO FIRM CUSTOMERS. HARRIS AND THE INDIVIDUAL KNEW AT THE TIME OF THE SOLICITATIONS OF THE CONSULTING AGREEMENT WITH THE COMPANY THAT THE FIRM, THE BRANCH, AND THEY PERSONALLY HAD BENEFITED FROM THE \$350,000 PAYMENT MADE BY THE COMPANY PURSUANT TO THE AGREEMENT. HARRIS AND THE INDIVIDUAL DID NOT DISCLOSE THE EXISTENCE OF THE CONSULTING AGREEMENT WITH THE COMPANY OR THE \$350,000 PAYMENT FROM THE COMPANY TO ANY CUSTOMERS FROM WHOM THEY SOLICITED A PURCHASE OF COMPANY STOCK OR THE REGISTERED REPRESENTATIVES WHO WORKED UNDER THEIR DIRECTION. ACCORDINGLY, THOSE REPRESENTATIVES DID NOT DISCLOSE THIS INFORMATION TO THEIR CUSTOMERS. BY THEIR FAILURE, HARRIS AND THE INDIVIDUAL CAUSED THE OTHER REGISTERED REPRESENTATIVES TO FAIL TO DISCLOSE THE AGREEMENT AND THE PAYMENT. THE EXISTENCE OF THE CONSULTING AGREEMENT WITH THE COMPANY AND THE \$350,000 PAYMENT FROM THE COMPANY WERE MATERIAL INFORMATION ABOUT WHICH A REASONABLE INVESTOR WOULD HAVE WANTED TO KNOW. THEIR FAILURE TO DISCLOSE THE EXISTENCE OF THE CONSULTING AGREEMENT WITH THE COMPANY AND THE \$350,000 PAYMENT WAS INTENTIONAL, OR AT A MINIMUM RECKLESS. AT THE TIME, HARRIS AND THE INDIVIDUAL ENTERED INTO THE CONSULTING AGREEMENT WITH THE COMPANY AND RECEIVED THE \$350,000 PAYMENT FROM THE COMPANY PURSUANT TO THE AGREEMENT. HARRIS AND THE INDIVIDUAL WERE EMPLOYED BY AND REGISTERED WITH ANOTHER FINRA MEMBER FIRM. HARRIS AND THE INDIVIDUAL FAILED TO DISCLOSE THEIR OUTSIDE BUSINESS ACTIVITY TO THE FIRM, IN WRITING OR OTHERWISE. THE FIRM HAD AN EXISTING BUSINESS RELATIONSHIP WITH THE COMPANY PURSUANT TO WHICH IT HAD PROVIDED FINANCIAL CONSULTING AND INVESTMENT BANKING SERVICES. AT THE TIME HARRIS AND THE INDIVIDUAL ENTERED INTO THE AGREEMENT, THEY KNEW THEY WOULD DIRECTLY OR INDIRECTLY RECEIVE A FINANCIAL BENEFIT FROM THAT ARRANGEMENT. THE INDIVIDUAL PERFORMED SERVICES AND HARRIS ANTICIPATED PERFORMING SERVICES PURSUANT TO THE CONSULTING AGREEMENT WITH THE COMPANY, AND THEY BENEFITED FINANCIALLY FROM THE AGREEMENT. HARRIS AND THE INDIVIDUAL ENTERED INTO A WRITTEN AGREEMENT WITH THE OWNER, PRESIDENT AND DIRECTOR OF A MEMBER FIRM, AND ANOTHER INDIVIDUAL, UNDER WHICH THE FIRM PAID \$350,000 TO THE OTHER INDIVIDUAL FOR BRANCH EXPENSES AND COMMISSIONS EARNED BY HARRIS AND THE TWO INDIVIDUALS. BY ARRANGING FOR A LUMP SUM PAYMENT OF \$350,000 OF COMMISSIONS AND EXPENSES TO AN INDIVIDUAL ALONE IN A PERSONAL ACCOUNT, HARRIS, ACTING WITH OTHERS, CAUSED THE FIRM'S BOOKS AND RECORDS TO BE FALSE AND MISLEADING IN NOT REFLECTING THE ACTUAL COMMISSION PAYMENTS TO EACH INDIVIDUAL REPRESENTATIVE ASSOCIATED WITH THE PURCHASE AND SALE OF THE SECURITIES.

Resolution

pending appeal

SanctionDetails	[object Object]
Sanctions	Bar
SanctionDetails [object Object]	
Registration Capacities Affected	All Capacities
Duration	Indefinite
Start Date	12/29/2014
Regulator Statement	<p>HEARING PANEL DECISION RENDERED AUGUST 16, 2013 WHEREIN HARRIS IS BARRED FROM ASSOCIATION WITH ANY FINRA MEMBER IN ANY CAPACITY FOR COMMITTING FRAUD IN VIOLATION OF SECTION 10(B) OF THE SECURITIES EXCHANGE ACT OF 1934 AND RULE 10B-5 THEREUNDER AND FINRA RULES 2010 AND 2020. HARRIS ENGAGED IN OUTSIDE BUSINESS ACTIVITIES WITHOUT GIVING PRIOR WRITTEN NOTICE TO HIS FIRM, IN VIOLATION OF FINRA RULE 2010 AND NASD RULE 3030. IN LIGHT OF THE BAR, NO ADDITIONAL SANCTION IS IMPOSED FOR THIS VIOLATION. THE CAUSE OF ACTION ALLEGING THAT HARRIS CAUSED A BOOKS AND RECORDS VIOLATION, IN VIOLATION OF FINRA RULE 2010 AND NASD RULE 3110, IS DISMISSED. THE HEARING PANEL FINDS THAT ENFORCEMENT FAILED TO PROVE BY A PREPONDERANCE OF THE EVIDENCE THAT HARRIS CAUSED THE BOOKS AND RECORDS OF HIS FIRM TO BE FALSE AND INACCURATE. HARRIS IS ORDERED TO PAY COSTS IN THE AMOUNT OF \$3,904.89. THE ASSESSED COSTS SHALL BE DUE ON A DATE SET BY FINRA, BUT NOT SOONER THAN 30 DAYS AFTER THIS DECISION BECOMES FINRA'S FINAL DISCIPLINARY ACTION IN THIS PROCEEDING. ON AUGUST 30, 2013, HARRIS APPEALED THE DECISION TO THE NATIONAL ADJUDICATORY COUNCIL (NAC). NAC DECISION RENDERED DECEMBER 29, 2014 WHEREIN THE NAC AFFIRMED THE HEARING PANEL'S FINDINGS AND SANCTIONS IMPOSED. THE BAR IS IN EFFECT AS OF DECEMBER 29, 2014. THE NAC ALSO IMPOSED APPEAL COSTS OF \$1,319.04. HARRIS' WILLFUL VIOLATION OF SECTION 10(B) OF THE SECURITIES EXCHANGE ACT OF 1934 GIVES RISE TO A STATUTORY DISQUALIFICATION. ON JANUARY 28, 2015, HARRIS APPEALED THE DECISION TO THE SECURITIES AND EXCHANGE COMMISSION (SEC). THE BAR REMAINS IN EFFECT. SEC RELEASE 34-74437, MARCH 4, 2015: IT IS ORDERED THAT, PENDING THE SEC'S REVIEW OF HIS APPEAL, APPLICANT'S MOTION TO STAY THE SANCTIONS FINRA IMPOSED IS DENIED. SEC decision rendered March 31, 2016, wherein the findings of violations and sanctions imposed are sustained. On May 31, 2016, Harris filed with the United States Court of Appeals for the Second Circuit a Petition for Review of the SEC decision. October 25, 2017 - The United States Court of Appeals for the Second Circuit denies the petition for review from bar order for Telman Harris.</p>
Broker Comment	<p>HEARING PANEL DECISION RENDERED AUGUST 16, 2013 WHEREIN HARRIS IS BARRED FROM ASSOCIATION WITH ANY FINRA MEMBER IN ANY CAPACITY FOR COMMITTING FRAUD IN VIOLATION OF SECTION 10(B) OF THE SECURITIES EXCHANGE ACT OF 1934 AND RULE 10B-5 THEREUNDER AND FINRA RULES 2010 AND 2020. HARRIS ENGAGED IN OUTSIDE BUSINESS ACTIVITIES WITHOUT GIVING PRIOR WRITTEN NOTICE TO HIS FIRM, IN VIOLATION OF FINRA RULE 2010 AND NASD RULE 3030. IN LIGHT OF THE BAR, NO ADDITIONAL SANCTION IS IMPOSED FOR THIS VIOLATION. THE CAUSE OF ACTION ALLEGING THAT HARRIS CAUSED A BOOKS AND RECORDS VIOLATION, IN VIOLATION OF FINRA RULE 2010 AND NASD RULE 3110, IS DISMISSED. THE HEARING PANEL FINDS THAT ENFORCEMENT FAILED TO PROVE BY A PREPONDERANCE OF THE EVIDENCE THAT HARRIS CAUSED THE BOOKS AND RECORDS OF HIS FIRM TO BE FALSE AND INACCURATE. HARRIS IS ORDERED TO PAY COSTS IN THE AMOUNT OF \$3,904.89. THE ASSESSED COSTS SHALL BE DUE ON A DATE SET BY FINRA, BUT NOT SOONER THAN 30 DAYS AFTER THIS DECISION BECOMES FINRA'S FINAL DISCIPLINARY ACTION IN THIS PROCEEDING. ON AUGUST 30, 2013, HARRIS APPEALED THE DECISION TO THE NATIONAL ADJUDICATORY COUNCIL (NAC). NAC DECISION RENDERED DECEMBER 29, 2014 WHEREIN THE NAC AFFIRMED THE HEARING PANEL'S FINDINGS AND SANCTIONS IMPOSED. THE BAR IS IN EFFECT AS OF DECEMBER 29, 2014. THE NAC ALSO IMPOSED APPEAL COSTS OF \$1,319.04. HARRIS' WILLFUL VIOLATION OF SECTION 10(B) OF THE SECURITIES EXCHANGE ACT OF 1934 GIVES RISE TO A STATUTORY DISQUALIFICATION. IF NO FURTHER ACTION IS TAKEN, THE DECISION WILL BE FINAL ON FEBRUARY 2, 2015.</p>

[Arbitration Details](#)[Disciplinary Action Details](#)[Examinations](#)

■ State Securities Law Exam

Series 63 - Uniform Securities Agent State Law Examination

Jun 29, 1999

■ General Industry/Products Exam

Series 7 - General Securities Representative Examination

Jun 10, 1999

■ Principal/Supervisory Exam

Series 24 - General Securities Principal Examination

Feb 24, 2011

☀ Broker Registration History

	Name	Location
05/13/2011 - 01/20/2015	RADNOR RESEARCH & TRADING COMPANY LLC (CRD#:130120)	NEW YORK, NY
02/15/2010 - 04/01/2011	FIRST MERGER CAPITAL, INC (CRD#:44083)	NEW YORK, NY
05/18/2009 - 02/22/2010	SEABOARD SECURITIES, INC. (CRD#:755) ▲ FINRA expelled the firm on 02/11/2011	NEW YORK, NY
10/23/2008 - 04/22/2009	MARTINEZ-AYME SECURITIES (CRD#:109838) ▲ FINRA expelled the firm on 06/10/2015	NEW YORK, NY
07/20/2007 - 10/24/2008	BASIC INVESTORS INC. (CRD#:1187)	NEW YORK, NY
04/27/2007 - 07/27/2007	LEGEND SECURITIES, INC. (CRD#:44952) ▲ FINRA expelled the firm on 04/17/2017	NEW YORK, NY
01/21/2004 - 06/19/2007	NEW YORK GLOBAL SECURITIES, INC. (CRD#:46429)	NEW YORK, NY
08/27/2003 - 01/12/2004	GUNNALLEN FINANCIAL, INC (CRD#:17609)	TAMPA, FL
12/17/2002 - 09/12/2003	BENCHMARK SECURITIES GROUP, INC. (CRD#:103760)	OKLAHOMA CITY, OK
07/08/2002 - 12/18/2002	H&R BLOCK FINANCIAL ADVISORS, INC. (CRD#:5979)	DETROIT, MI
01/14/2002 - 06/28/2002	HARRISON SECURITIES, INC. (CRD#:14103) ▲ FINRA expelled the firm on 12/16/2004	PORT WASHINGTON, NY
12/21/2001 - 04/03/2002	EHRENKRANTZ KING NUSSBAUM, INC. (CRD#:113525) ▲ FINRA expelled the firm on 10/12/2012	MELVILLE, NY
11/20/2001 - 12/21/2001	EHRENKRANTZ KING NUSSBAUM (CRD#:31140)	NEW YORK, NY
08/14/2001 - 11/29/2001	INVESTEC ERNST & COMPANY (CRD#:266)	NEW YORK, NY
11/21/2000 - 06/26/2001	JOSEPH STEVENS & COMPANY, INC. (CRD#:35459)	BROOKLYN, NY
06/06/2000 - 11/20/2000	SPENCER CLARKE LLC (CRD#:41316)	NEW YORK, NY
06/05/2000 - 06/12/2000	INVESTEC ERNST & COMPANY (CRD#:266)	NEW YORK, NY
06/11/1999 - 06/06/2000	CAMBRIDGE CAPITAL, LLC (CRD#:41464) ▲ FINRA expelled the firm on 02/09/2001	GARDEN CITY, NY

Additional Information

The content of this summary, and the available detailed report, is governed by FINRA Rule 8312, and is primarily based on information filed on uniform registration forms. Rule 8312, amendments to the rule and notices related to U.S. Securities and Exchange Commission approval orders, can be viewed [here](#).

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Individuals who work for broker-dealers - the sales personnel are commonly referred to as brokers.

(IA) Investment Adviser

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It is common for a financial professional to act as both a broker and an investment adviser. Because of this, we include investment advisers on BrokerCheck, and provide links to the SEC's Investment Adviser Public Disclosure (IAPD) website so you can research further.

(PR) Previously Registered

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