

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

ADMINISTRATIVE PROCEEDING
File No. 3-19502

In the Matter of

ROMAN SLEDZIEJOWSKI,

Respondent.

DIVISION OF ENFORCEMENT'S
MOTION FOR DEFAULT JUDGMENT

Pursuant to Rule 155 of the Securities and Exchange Commission's ("Commission") Rules of Practice, the Division of Enforcement ("Division") moves for default judgment against Respondent Roman Sledziejowski ("Respondent" or "Sledziejowski"), and respectfully shows the following:

I. FACTUAL AND PROCEDURAL BACKGROUND

A. Respondent Was Associated With a Commission-Registered Broker-Dealer.

From September 2006 through November 2012, Sledziejowski was the Chief Executive Officer, principle and indirect majority shareholder of TWS Financial, LLC ("TWS"), a Commission registered broker-dealer located in Brooklyn, New York. [See Exhibit A - Appendix in Support of this Motion ("App."), attached hereto, at App. 11.] TWS was owned by Innovest Holdings, LLC ("Innovest"), an entity owned and controlled by Sledziejowski. [Id.]

B. Responded Was Convicted for Obstructing an SEC Proceeding.

On February 12, 2019, Sledziejowski pleaded guilty to one count of obstruction of proceedings before a department or agency of the United States (*i.e.*, the Commission) in violation of 18 U.S.C. § 1505. See *United States v. Roman Sledziejowski*, No. 3:16-CR-101-B (N.D. Tex. [Dallas]) (the "Federal Criminal Case"), Doc. 118 (Amended Plea Agreement).

[App. 1-9.] Pursuant to that Plea Agreement, Sledziejowski signed a Factual Resume, which admitted and described the facts underlying his conviction, including his association with TWS at the time of his offense in August 2012. [App. 10-13.]

Specifically, Sledziejowski admitted that:

- During August 2012 or earlier, the Commission began an investigation into the sale of securities that occurred during July 2012 involving his brokerage, TWS, as well as the ultimate distribution of the sale proceeds into the through the accounts of Innovest. [*Id.* at 11.]
- On or about August 29, 2012, he intentionally endeavored corruptly to influence, obstruct and impede the Commission’s investigation by giving evasive and misleading answers in sworn testimony, under oath, before the Financial Industry Regulatory Authority (“FINRA”) concerning the securities sales at issue in the Commission’s investigation. [*Id.* at 11-12.]
- At the time of his FINRA testimony, he knew about the Commission’s investigation, and yet gave evasive and misleading answers with the intent to obstruct justice, knowing that his testimony would be provided to the Commission for use in its own investigation, and that his answers would likely impede that investigation. [*Id.* at 13.]

On February 19, 2019, the district court entered a judgment, sentencing him to a 15-month prison term (to run concurrently with any sentence imposed by the parallel New York state criminal court in the case described below) followed by two years of supervised release and ordering him to make restitution in the amount of \$522,936.70. [App. 14-20.]

C. Respondent Was Convicted of Forging a TWS Account Statement.

In a parallel New York state criminal case, on March 13, 2019, Sledziejowski pleaded guilty to attempted criminal possession of a forged instrument, a second degree felony. *People v. Roman Sledziejowski*, Case No. 01625-2016 (N.Y. Sup. Ct., Kings Cty.) (the “State Criminal Case”). [App. 29, 21-28.] The charges stemmed from his fraudulent misconduct with a TWS customer involving the use of a forged account statement to conceal that he had stolen the customer’s money. That same day, the court sentenced Sledziejowski to three years conditional

discharge and an eight-year order of protection. [App. 29.]

D. Respondent Has Defaulted in the Instant Proceeding.

On September 24, 2019, the Commission instituted this proceeding. *See* Order Instituting Administrative Proceedings Pursuant to Section 15(b) of the Securities Exchange Act of 1934 and Notice of Hearing, SEC Rel. No. 87076 (Sept. 24, 2019) (the “OIP”). [App. 30-33.] Respondent was properly served with the OIP on September 30, 2019. *See* Division’s Status Report as to Service and attached exhibits, filed Jan. 7, 2020.

On April 12, 2021, the Commission issued an Order requiring Respondent to Show Cause by April 26, 2021, why the Commission should not find him in default and why this proceeding should not be determined against him due to his failure to file an answer or otherwise defend this proceeding. Order to Show Cause, SEC Rel. No. 91541 (Apr. 12, 2021) (“Order to Show Cause”). The Commission explained that, “[w]hen a party defaults, the allegations in the OIP will be deemed to be true and the Commission may determine the proceeding against that party upon consideration of the record without holding a public hearing.” *Id.*

To date, Sledziejowski has neither filed an answer to the OIP, nor has he responded to the Commission’s Order to Show Cause or communicated with the Division’s counsel.

II. ARGUMENT

A. Respondent is in default.

Sledziejowski was properly served on September 30, 2019, pursuant to Rule 141(a)(2)(i) of the Rules of Practice, as reflected in the Commission’s Order to Show Cause. Having been properly served, Sledziejowski was required by Rule 220 of the Rules of Practice to file an answer within 20 days of September 30, 2019. To date, Sledziejowski has not filed an answer.

B. The allegations in the OIP are deemed true.

Because Sledziejowski has failed to answer the OIP, Rule 155 of the Rules of Practice

provides that Sledziejowski may be deemed to be in default and the Commission may determine the proceeding against him upon consideration of the record, including the OIP, *the allegations of which may be deemed to be true*. See 17 C.F.R. § 201.155(a)(2) (emphasis added); Order to Show Cause.

Among other things, the OIP alleges:

- From September 2006 through November 2012, Sledziejowski was the CEO, principal and indirect majority shareholder of TWS Financial, LLC (“TWS”), a broker-dealer registered with the Commission. [App. 30.]
- On February [12], 2019, Sledziejowski pleaded guilty to one count of obstruction of proceedings before a department or agency of the United States in violation of Title 18 of the United States Code, Section 1505, before the United States District Court for the Northern District of Texas in *United States v. Roman Sledziejowski*, Crim. Information No. 3:16-CR-101 (N.D. Tex.). On February 19, 2019, a judgment in the criminal case was entered against Sledziejowski. He was sentenced to a prison term of 15 months followed by two years of supervised release and ordered to make restitution in the amount of \$522,936.70. [App. 30-31.]
- The count of the superseding criminal information to which Sledziejowski pleaded guilty alleges that the SEC had commenced an investigation into sales of certain securities and that Sledziejowski intentionally endeavored corruptly to influence, obstruct and impede the investigation. Specifically, the superseding information alleges Sledziejowski gave evasive and misleading answers in August 2012 testimony before FINRA concerning the identities of individuals in Poland who received funds from Innovest, the owner of TWS, following the sale of securities knowing that his answers would likely impede the SEC’s investigation. [App. 31.]
- On March 13, 2019, Sledziejowski pleaded guilty to attempted criminal possession of a forged instrument, a second degree felony, in New York Supreme Court in Kings County. *People v. Roman Sledziejowski*, Case No. 01625-2016 (N.Y. Sup. Ct., Kings Cty.). On March 13, 2109, Sledziejowski was sentenced to three years conditional discharge and an eight-year order of protection. [*Id.*]
- The state charges against Sledziejowski stem from his alleged fraudulent misconduct with a TWS customer involving the use of a forged account statement. [*Id.*]

C. It is in the public interest to impose remedial sanctions against Sledziejowski.

Section III.B. of the OIP sets out that this proceeding was instituted to determine, “what, if any, remedial action is appropriate in the public interest against Respondent pursuant to

Section 15(b) of the Exchange Act of 1934 (“Exchange Act”). [App. .] Section 15(b)(6)(A) of the Exchange Act, in relevant part, allows the Commission to censure, place limitations on, suspend or bar from association with “a broker, dealer, investment adviser, municipal securities dealer, municipal advisor, transfer agent, or nationally recognized statistical rating organization, or from participating in an offering of penny stock” any person who “has been convicted of any offense specified in [Section 15(b)(4)(B)] within ten years of the commencement of the proceedings” if the person was associated with a broker at the time of the alleged misconduct and the Commission finds that such a sanction is in the public interest. 15 U.S.C. § 78o(b)(6)(A). Section 15(b)(4)(B) specifies, among other things, conviction of any felony or misdemeanor which the Commission finds involves the purchase or sale of any security, arises out of the conduct of the business of a broker, or involves forgery or fraudulent concealment. 15 U.S.C. § 78o(b)(4)(B).

1. Sledziejowski’s criminal convictions require remedial action.

In the Federal Criminal Case, Sledziejowski was convicted of one count of obstruction of proceedings before a department or agency of the United States, *i.e.*, the Commission, in violation of 18 U.S.C. § 1505. In the factual resume in support of his guilty plea, Sledziejowski admitted that he intentionally endeavored corruptly to obstruct and impede the SEC investigation into the activities of TWS and Innovest by giving evasive and misleading testimony to FINRA on August 29, 2012 about the recipients of funds from the proceeds of certain securities transactions. He admitted giving the evasive and misleading testimony to FINRA knowing that his answers would likely impede the SEC’s investigation.

In the State Criminal Case, Sledziejowski pleaded guilty to attempted criminal possession of a forged instrument, which is a second degree felony. These charges arose from his handling of customer accounts at TWS from November 2011 through February 2012. At the time of the

misconduct for which he was convicted, Sledziejowski was the CEO and an associated person of TWS, which was registered with the Commission as a broker-dealer.

Based on these convictions and the underlying misconduct, remedial action is warranted. *See, e.g., In the Matter of Kenneth Ko*, Exchange Act Rel. No. 34-55827, Admin. Proc. File No. 3-12606 (May 30, 2007) (ALJ order on default making findings and imposing bar from association based on a criminal conviction for obstruction of justice under 18 U.S.C. § 1505); *In the Matter of Michael J. Fulcher*, Advisers Act Rel. No. 3692 (Oct. 16, 2013) (imposing bar from association based in part on a criminal conviction for violation of 18 U.S.C. § 1505).

2. It is in the public interest to bar Respondent.

In determining whether remedial sanctions are in the public interest, the Commission considers the factors set forth in *Steadman v. SEC*, 603 F.2d 1126, 1140 (5th Cir. 1979), *aff'd on other grounds*, 450 U.S. 91 (1981). *See David R. Wulf*, Exchange Act Release No. 77411, 2016 SEC LEXIS 1074, at *13-14 (March 21, 2016), *vacated in part on other grounds*, Exchange Act Release No. 86309, 2019 SEC LEXIS 1665 (July 5, 2019). These factors include: (1) the egregiousness of a respondent's actions; (2) the degree of scienter involved; (3) the isolated or recurrent nature of the infraction; (4) the recognition of the wrongful nature of the conduct; (5) the sincerity of any assurances against future violations; and (6) the likelihood that the respondent's occupation will present opportunities for future violations. *Steadman*, 603 F.2d at 1140. No single factor is dispositive. *Id.*

Applying those factors to this case, an industry bar is appropriate. First, Sledziejowski's conduct in lying under oath and intentionally obstructing the Commission's investigation was egregious and intentional, as he admitted and the criminal courts accepted. [See App. 11.] Second, his convictions establish that he lied both in testimony, and in his dealings with his brokerage customers, showing that his misconduct is not isolated to one event or occurrence. Third,

Sledziejowski has presented no admission of wrongdoing, nor has he recognized the wrongful nature of his actions or provided any assurances against future violations. To the contrary, he has chosen to ignore this legal proceeding brought against him to hold him responsible for his actions. Fourth, Sledziejowski's failure to participate in this proceeding precludes the Division from determining, or presenting evidence of, Sledziejowski's current occupation and whether that occupation presents opportunities for future violations. According to the Bureau of Prisons website, Respondent was released from prison on June 5, 2020. [App. 34.] Further, Sledziejowski is only 40-years-old [*id.*], so his relative youth will provide opportunities over a longer period of time for future violations.

On balance, the *Steadman* factors weigh heavily in favor of protecting the public interest by imposing remedial sanctions against Sledziejowski.

D. The Commission should bar Sledziejowski.

As discussed herein, the evidence is undisputed that: (1) Respondent was convicted of offenses specified in Section 15(b)(4)(B) within ten years of the filing of the OIP; (2) Respondent was associated with a broker at the time of the misconduct; and (3) the *Steadman* factors weigh heavily in favor of protecting the public interest by imposing remedial sanctions against Sledziejowski. In light of these facts, the statutory authority, and the overwhelming weight of the *Steadman* factors, the Commission should bar Sledziejowski from association with any broker, dealer, investment adviser, municipal securities dealer, municipal advisor, transfer agent, or nationally recognized statistical rating organization. Allowing Sledziejowski to remain in the securities industry would present him with future opportunities for further misconduct and would put the investing public at risk. Additionally, imposing a bar against Sledziejowski will serve the Commission's interest in deterring others from engaging in similar misconduct.

III. CONCLUSION

Based on the foregoing, the Division respectfully requests that the Commission grant this motion and impose such further relief as to which the Division may be entitled.

Dated: May 24, 2021

Respectfully submitted,

Jennifer D. Reece
Texas Bar No. 00796242
U.S. Securities and Exchange Commission
Division of Enforcement
Fort Worth Regional Office
Burnett Plaza, Suite 1900
801 Cherry Street, Unit 18
Fort Worth, Texas 76102
Phone: (817) 978-1410
Fax: (817) 978-4927
ReeceJ@sec.gov
Angelia L. Stewart-Allen (Paralegal)
stewartan@sec.gov

Service List

Pursuant to Rule 150 of the Commission's Rules of Practice, I hereby certify that on May 24, 2021, the foregoing document was filed using the eFAP system and that a true and correct copy of the Division of Enforcement's Motion for Default was served electronically upon each person previously agreeing to accept documents by electronic means. A copy of the foregoing pleading has also been provided to the APFilings@sec.gov mailbox.

Jennifer D. Reece

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

ADMINISTRATIVE PROCEEDING
File No. 3-19502

In the Matter of

ROMAN SLEDZIEJOWSKI,

Respondent.

APPENDIX IN SUPPORT OF
DIVISION OF ENFORCEMENT'S
MOTION FOR DEFAULT JUDGMENT

Dated: May 24, 2021.

Respectfully submitted,

Jennifer D. Reece
Texas Bar No. 00796242
U.S. Securities and Exchange Commission
Division of Enforcement
Fort Worth Regional Office
Burnett Plaza, Suite 1900
801 Cherry Street, Unit 18
Fort Worth, Texas 76102
Phone: (817) 978-1410
Fax: (817) 978-4927
ReeceJ@sec.gov
Angelia L. Stewart-Allen (Paralegal)
stewartan@sec.gov

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	Date	Document	App. #
1	February 12, 2019	Amended Plea Agreement; <i>U.S. v. Sledziejowski</i> , Cause No. 3:16-CR-101-B	001-009
2	June 15, 2018	Factual Resume; <i>U.S. v. Sledziejowski</i> , Cause No. 3:16-CR-101-B	010-013
3	February 19, 2019	Judgment in a Criminal Case, <i>U.S. v. Sledziejowski</i> , Cause No. 3:16-CR-101-B	014-020
4	March 11, 2016	Indictment, <i>People v. Sledziejowski</i> , Case No. 01625-2016	021-028
5	July 8, 2019	Certificate of Disposition, <i>People v. Sledziejowski</i> , Case No. 01625-2016	029
6	September 24, 2019	Order Instituting Administrative Proceedings	030-033
7	May 21, 2021	BOP Record Inmate Locator	034

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA

v.

ROMAN SLEDZIEJOWSKI

NO. 3:16-CR-101-B

AMENDED PLEA AGREEMENT

Roman Sledziejowski, the defendant, David Siegal, the defendant's attorney, and the United States of America (the government) agree as follows:

1. **Rights of the defendant:** The defendant understands that the defendant has the rights:
 - a. to plead not guilty;
 - b. to have the case against him presented to a Federal grand jury;
 - c. to have a trial by jury;
 - d. to have the defendant's guilt proven beyond a reasonable doubt;
 - e. to confront and cross-examine witnesses and to call witnesses in the defendant's defense; and
 - f. against compelled self-incrimination.

2. **Waiver of rights and plea of guilty:** The defendant waives these rights and pleads guilty to the offense alleged in Count One of the Superseding Information, charging a violation of 18 U.S.C. § 1505, that is, obstruction. The defendant understands the nature and elements of the crime to which the defendant is pleading guilty, and agrees that the factual resume the defendant has signed is true and will be submitted as evidence.

3. **Sentence:** The statutorily imposed maximum penalties the Court can impose include:

- a. imprisonment for a period not to exceed five years;
- b. a fine not to exceed \$250,000, or twice any pecuniary gain to the defendant or loss to the victim(s);
- c. a term of supervised release of not more than three years, which may be mandatory under the law and will follow any term of imprisonment. If the defendant violates the conditions of supervised release, the defendant could be imprisoned for the entire term of supervised release;
- d. a mandatory special assessment of \$100;
- e. restitution to victims or to the community, which may be mandatory under the law, and which the defendant agrees may include restitution arising from all relevant conduct, not limited to that arising from the offense of conviction alone;
- f. costs of incarceration and supervision; and
- g. forfeiture of property.

4. **Immigration consequences:** The defendant recognizes that pleading guilty may have consequences with respect to the defendant's immigration status if the defendant is not a citizen of the United States. Under federal law, a broad range of crimes are removable offenses. The defendant understands this may include the offense to which the defendant is pleading guilty, and for purposes of this plea agreement, the defendant assumes the offense is a removable offense. Removal and other immigration consequences are the subject of a separate proceeding, however, and the defendant

understands that no one, including the defendant's attorneys or the district court, can predict to a certainty the effect of the defendant's conviction on the defendant's immigration status. The defendant nevertheless affirms that the defendant wants to plead guilty regardless of any immigration consequences that the defendant's plea of guilty may entail, even if the consequence is the defendant's automatic removal from the United States.

5. **Sentencing agreement:** Pursuant to Federal Rule of Criminal Procedure 11(c)(1)(C), the parties agree that the appropriate USSG total offense level in this case, as calculated by the Probation Department, is level 13, calculated as follows:

- a. A base offense level of 16 under USSG §§ 2X3.1(a)(1) and 2J1.2(c)(1);
and
- b. A three-level reduction for acceptance of responsibility under USSG § 3E1.1(a) and (b).

The parties agree that, based on information available to the government, the defendant's criminal history category is I. The parties further agree that the sentence imposed shall be within the sentencing guidelines range of 12 to 18 months, as calculated by the Probation Department. The parties further agree that any sentence imposed in this case will run concurrently with any sentence imposed by the court in the case styled *People v. Sledziejowski*, docket #1625-2016, pending in New York State Supreme Court, Kings County. In addition, the parties agree that there are no victims of the offense of conviction to whom restitution is owed, but that an appropriate sentence in this case will include an agreement by the defendant, as a condition of his probation or supervised

release, to the entry of a judgment against him requiring the defendant to pay to Apex Clearing Corporation an amount to be determined by the parties in advance of sentencing, but no more than \$522,936.70. If the Court accepts this plea agreement, these sentencing provisions are binding on the Court. Other than the agreed sentencing guidelines range described above and the upper limit it establishes, and the monetary judgment, there are no other sentencing limitations, and the Court remains free to determine the appropriate sentence under the advisory United States Sentencing Guidelines and 18 U.S.C. § 3553.

6. **Rejection of agreement:** Pursuant to Federal Rule of Criminal Procedure 11(c)(5), if the Court rejects this plea agreement, the defendant will be allowed to withdraw the defendant's guilty plea. If the defendant declines to withdraw the defendant's guilty plea, the disposition of the case may be less favorable than that contemplated by the plea agreement.

7. **Mandatory special assessment:** Prior to sentencing, the defendant agrees to pay to the U.S. District Clerk the amount of \$100, in satisfaction of the mandatory special assessment in this case.

8. **Bail pending sentencing and surrender date:** The parties agree that, upon entering his plea of guilty, through and until his surrender date (if any), the defendant shall remain under the same conditions of release as of the date of this agreement. The parties further agree that, upon imposition of sentence, the Court will set a surrender date no less than 90 days after imposition of the sentence, and that, if applicable, the parties will request a recommendation from the Court that the Bureau of

Prisons refrain from designating the defendant for a period of 60 days after imposition of the sentence.

9. **Defendant's agreement:** The defendant shall give complete and truthful information and/or testimony concerning the defendant's participation in the offense of conviction. Upon demand, the defendant shall submit a personal financial statement under oath and submit to interviews by the government and the U.S. Probation Office regarding the defendant's capacity to satisfy any monetary imposition in the Court's judgment. The defendant expressly authorizes the United States Attorney's Office to immediately obtain a credit report on the defendant in order to evaluate the defendant's ability to satisfy any financial obligation imposed by the Court. The defendant fully understands that any monetary imposition is due and payable immediately. In the event the Court imposes a schedule for payment of the monetary imposition, the defendant agrees that such a schedule represents a minimum payment obligation and does not preclude the U.S. Attorney's Office from pursuing any other means by which to satisfy the Court's monetary imposition in full as soon as possible by enforced collection throughout the life of the judgment.

10. **Government's agreement:** The government will not bring any additional charges against the defendant based upon the conduct underlying and related to the defendant's plea of guilty. The government will file a Supplement in this case, as is routinely done in every case, even though there may or may not be any additional terms. The government will dismiss, after sentencing, the pending indictment. This agreement is limited to the United States Attorney's Office for the Northern District of Texas and

does not bind any other federal, state, or local prosecuting authorities, nor does it prohibit any civil or administrative proceeding against the defendant or any property.

11. **Violation of agreement:** The defendant understands that if the defendant violates any provision of this agreement, or if the defendant's guilty plea is vacated or withdrawn, the government will be free from any obligations of the agreement and free to prosecute the defendant for all offenses of which it has knowledge. In such event, the defendant waives any objections based upon delay in prosecution. If the plea is vacated or withdrawn for any reason other than a finding that it was involuntary, the defendant also waives objection to the use against the defendant of any information or statements the defendant has provided to the government, and any resulting leads.

12. **Voluntary plea:** This plea of guilty is freely and voluntarily made and is not the result of force or threats, or of promises apart from those set forth in this plea agreement. There have been no guarantees or promises from anyone as to what sentence the Court will impose.

13. **Waiver of right to appeal or otherwise challenge sentence:** The defendant waives the defendant's rights, conferred by 28 U.S.C. § 1291 and 18 U.S.C. § 3742, to appeal the conviction, sentence, fine and order of restitution or forfeiture in an amount to be determined by the district court. The defendant further waives the defendant's right to contest the conviction, sentence, fine and order of restitution or forfeiture in any collateral proceeding, including proceedings under 28 U.S.C. § 2241 and 28 U.S.C. § 2255. The defendant, however, reserves the rights (a) to bring a direct appeal of (i) a sentence exceeding the statutory maximum punishment, or (ii) an arithmetic error

at sentencing, (b) to challenge the voluntariness of the defendant's plea of guilty or this waiver, and (c) to bring a claim of ineffective assistance of counsel.

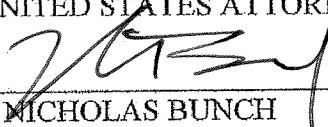
14. **Waiver of the Statute of Limitations and Venue:** The defendant knowingly and voluntarily, and with advice of counsel, waives any defense arising from the statute of limitations, including the provisions of 18 U.S.C. § 3282(a), applicable to the violation of 18 U.S.C. § 1505, that is, obstruction, as charged in the Superseding Information. Further, the defendant knowingly and voluntarily, and with advice of counsel, waives (a) a defense or claim of lack of venue for the offense charged in the Superseding Information, and (b) the right to have the charged offense prosecuted in the Eastern District of New York. The defendant knowingly and voluntarily consents to the Northern District of Texas as the place of prosecution for the charge of obstruction in the Superseding Information, including all proceedings related to the defendant's guilty plea.

15. **Representation of counsel:** The defendant has thoroughly reviewed all legal and factual aspects of this case with the defendant's attorneys and is fully satisfied with his attorneys' legal representation. The defendant has received from the defendant's attorneys explanations satisfactory to the defendant concerning each paragraph of this plea agreement, each of the defendant's rights affected by this agreement, and the alternatives available to the defendant other than entering into this agreement. Because the defendant concedes that the defendant is guilty, and after conferring with the defendant's attorneys, the defendant has concluded that it is in the defendant's best interest to enter into this plea agreement and all its terms, rather than to proceed to trial in this case.


16. **Entirety of agreement:** This document is a complete statement of the parties' agreement and may not be modified unless the modification is in writing and signed by all parties. This agreement supersedes any and all other promises, representations, understandings, and agreements that are or were made between the parties at any time before the guilty plea is entered in court. No promises or representations have been made by the United States except as set forth in writing in this plea agreement.

AGREED TO AND SIGNED this 1st day of February, 2019.

ERIN NEALY COX
UNITED STATES ATTORNEY

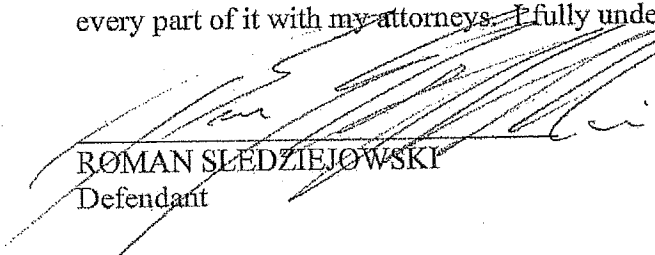


J. NICHOLAS BUNCH
Assistant United States Attorney
Northern District of Texas
Texas State Bar No. 24050352
KATHERINE MILLER
Assistant United States Attorney
Texas State Bar No. 00789107
1100 Commerce St., Third Floor
Dallas, Texas 75242-1699
Telephone: 214-659-8600
nick.bunch@usdoj.gov



for MARCUS BUSCH
Section Chief

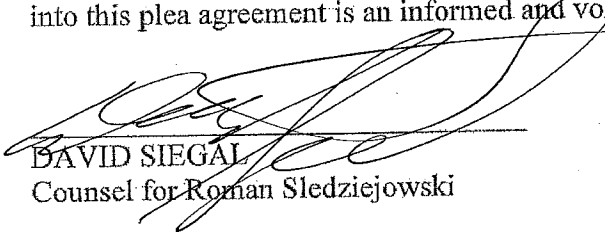
I have read or had read to me this plea agreement and have carefully reviewed every part of it with my attorneys. I fully understand it and voluntarily agree to it.


ROMAN SLEDZIEJOWSKI
Defendant

DATE

2/11/2019

I am the defendant's attorney. I have carefully reviewed every part of this plea agreement with the defendant. To my knowledge and belief, my client's decision to enter into this plea agreement is an informed and voluntary one.


DAVID SIEGAL
Counsel for Roman Sledziejowski

DATE

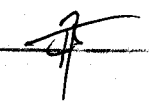
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NORTHERN DIST. OF TX
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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

DEPUTY CLERK 

UNITED STATES OF AMERICA

v.

NO. 3:16-CR-101-B

ROMAN SLEDZIEJOWSKI

FACTUAL RESUME

In support of Roman Sledziejowski's plea of guilty to the offense in Count One of the Superseding Information, Roman Sledziejowski, the defendant, David Siegal, the defendant's attorney, and the United States of America (the government) stipulate and agree to the following:

ELEMENTS OF THE OFFENSE

To prove the offense alleged in Count One of the Superseding Information, charging a violation of 18 U.S.C. § 1505, that is, obstruction of proceedings before a department or agency of the United States, the government must prove each of the following elements beyond a reasonable doubt:¹

First. That there was a proceeding being conducted by a department or agency of the United States, that is, a pending investigation by the United States Securities and Exchange Commission, as alleged in the Superseding Information;

Second. That the defendant knew of the pending proceeding; and

¹ *United States v. Warshak*, 631 F.3d 266, 325 (6th Cir. 2010); *United States v. Bhagat*, 436 F.3d 1140, 1147 (9th Cir. 2006). See also *United States v. Rainey*, 757 F.3d 234, 247-48 (5th Cir. 2014) (discussing two of the elements of obstruction under 18 U.S.C. § 1505).

Third. That the defendant intentionally endeavored corruptly to influence, obstruct, or impede the pending proceeding.

“Corruptly” means to act with the purpose of obstructing justice.²

STIPULATED FACTS

1. Roman Sledziejowski admits and agrees that he was the Chief Executive Officer of Trade Wall Street Financial, LLC (“TWS”), which was owned by Innovest Holdings, LLC (“Innovest”), an entity owned and controlled by Sledziejowski.

2. Roman Sledziejowski admits and agrees that the United States Securities and Exchange Commission (“SEC”) was an agency of the United States, charged with, among other things, investigating alleged violations of federal securities laws and regulations. Sledziejowski further admits and agrees that, in or about at least the beginning of August 2012 or earlier, the SEC commenced an investigation into the sale of securities, namely, approximately 932,000 American depositary receipts of Grupa ADV S.A. (“the Grupa shares”) that occurred on July 16, July 17, and July 18, 2012 involving TWS, as well as the distribution of the Grupa sale proceeds furnished by a clearing firm, Apex Clearing Corporation to a second clearing firm, Pershing, LLC, and ultimately into and through the accounts of Innovest.

3. Roman Sledziejowski admits and agrees that on or about August 29, 2012, in the Eastern District of New York and elsewhere, he did intentionally endeavor corruptly to influence, obstruct, and impede the due and proper administration of the law under which a pending proceeding was being had before a department or agency of the

² *United States v. Price*, 951 F.2d 1028, 1031 (9th Cir. 1991).

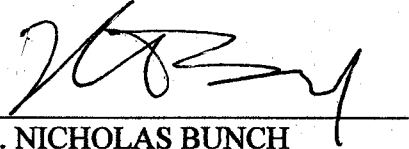
United States, namely, the SEC and its investigation into potential violations of securities laws and regulations relating to the sale of securities, by giving evasive and misleading answers in sworn testimony, under oath, before the Financial Industry Regulatory Authority concerning the identities of individuals in Poland who received funds from the defendant's company, Innovest Holdings, LLC following the sale of the Grupa shares, in violation of 18 U.S.C. § 1505.

4. Roman Sledziejowski admits and agrees that, at the time of his testimony before FINRA, he knew of the above-described SEC investigation into the activities of Innovest Holdings, LLC and his brokerage, TWS Financial, Inc. He further admits and agrees that he gave evasive and misleading answers about the funds' recipients to avoid the repercussions of revealing their identities, with the intent to obstruct justice, knowing that his answers would likely impede the SEC's investigation. Sledziejowski knew that his sworn testimony before FINRA would be provided to the SEC for the SEC's use in its own investigation.

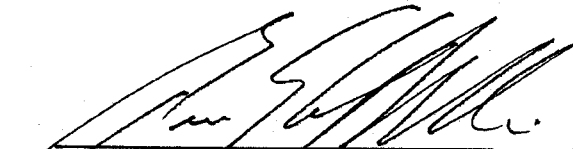
5. Roman Sledziejowski admits and agrees that he committed all the essential elements of the offenses charged in Count One of the Superseding Information. This factual resume is not intended to be a complete accounting of all the facts and events related to the offense charged in this case. The limited purpose of this statement of facts is to demonstrate that a factual basis exists to support the defendant's guilty plea to Count One of the Superseding Information.

AGREED TO AND STIPULATED on this ___ day of June, 2018.

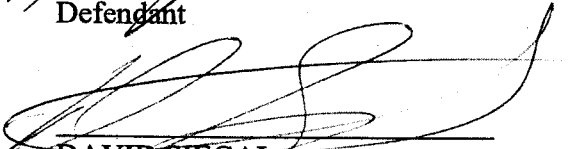
ERIN NEALY COX
UNITED STATES ATTORNEY



J. NICHOLAS BUNCH
Assistant United States Attorney
Northern District of Texas
Texas State Bar No. 24050352
KATHERINE MILLER
Assistant United States Attorney
Texas State Bar No. 00789107
1100 Commerce St., Third Floor
Dallas, Texas 75242-1699
Telephone: 214-659-8600
nick.bunch@usdoj.gov


ROMAN SLEDZIEJOWSKI
Defendant

6/15/2018
Date


DAVID SIEGAL
Counsel for Roman Sledziejowski

6/15/2018
Date

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE

v.

ROMAN SLEDZIEJOWSKI

Case Number: **3:16-CR-00101-B(1)**

USM Number: **29642-076**

David M Siegal

Defendant's Attorney

THE DEFENDANT:

<input checked="" type="checkbox"/>	pleaded guilty to count(s)	Count 1 of the one-count superseding Information filed June 15, 2018
<input type="checkbox"/>	pleaded guilty to count(s) before a U.S. Magistrate Judge, which was accepted by the court.	
<input type="checkbox"/>	pleaded nolo contendere to count(s) which was accepted by the court	
<input type="checkbox"/>	was found guilty on count(s) after a plea of not guilty	

The defendant is adjudicated guilty of these offenses:

<u>Title & Section / Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 U.S.C. § 1505 - Obstruction of Proceedings Before a Department or Agency of the United States	08/29/2012	1

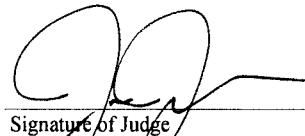
The defendant is sentenced as provided in pages 2 through 7 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- The defendant has been found not guilty on count(s)
- Counts 1 through 3 of the original Indictment filed March 22, 2016 is are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

February 14, 2019

Date of Imposition of Judgment



Signature of Judge

JANE J. BOYLE, UNITED STATES DISTRICT JUDGE

Name and Title of Judge

February 19, 2019

Date

DEFENDANT: ROMAN SLEDZIEJOWSKI
CASE NUMBER: 3:16-CR-00101-B(1)

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of:

15 months as to count 1. This case shall run concurrently with any sentence imposed in the pending state criminal charges for Grand Larceny 1, Money Launder 1, Falsify Business Records (7 counts), and Possession of Forged Instrument (7counts), Case No. 01625-2016, pending in the Kings County Supreme Court in Brooklyn, New York, because the charges are related to the instant federal offense.

The court makes the following recommendations to the Bureau of Prisons:
that the Bureau of Prisons refrain from designating the defendant for a period of 60 days. Additionally, the Court recommends that the defendant be allowed to serve his sentence at the Satellite Prison Camp at Millington, or, alternatively, at FCI Forrest City Low, if eligible.

- The defendant is remanded to the custody of the United States Marshal.
- The defendant shall surrender to the United States Marshal for this district:

at a.m. p.m. on

as notified by the United States Marshal.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

- before 2 p.m. on May 22, 2019.
- as notified by the United States Marshal.
- as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By
DEPUTY UNITED STATES MARSHAL

DEFENDANT: ROMAN SLEDZIEJOWSKI
CASE NUMBER: 3:16-CR-00101-B(1)

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of : **two (2) years.**

MANDATORY CONDITIONS

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
 - The above drug testing condition is suspended, based on the court's determination that you pose a low risk of future substance abuse. *(check if applicable)*
4. You must make restitution in accordance with 18 U.S.C. §§ 3663 and 3663A or any other statute authorizing a sentence of restitution. *(check if applicable)*
5. You must cooperate in the collection of DNA as directed by the probation officer. *(check if applicable)*
6. You must comply with the requirements of the Sex Offender Registration and Notification Act (34 U.S.C. § 20901, et seq.) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which you reside, work, are a student, or were convicted of a qualifying offense. *(check if applicable)*
7. You must participate in an approved program for domestic violence. *(check if applicable)*

You must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

DEFENDANT: ROMAN SLEDZIEJOWSKI
CASE NUMBER: 3:16-CR-00101-B(1)

STANDARD CONDITIONS OF SUPERVISION

As part of your supervised release, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
4. You must answer truthfully the questions asked by your probation officer.
5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
8. You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.
9. If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
10. You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
11. You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
12. If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the risk and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the risk.
13. You must follow the instructions of the probation officer related to the conditions of supervision.

U.S. Probation Office Use Only

A U.S. probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this judgment containing these conditions. I understand additional information regarding these conditions is available at www.txnp.uscourts.gov.

Defendant's Signature _____

Date _____

DEFENDANT: ROMAN SLEDZIEJOWSKI
CASE NUMBER: 3:16-CR-00101-B(1)

SPECIAL CONDITIONS OF SUPERVISION

The defendant is ordered to pay restitution in the amount of \$522,936.70, payable to the U.S. District Clerk, 1100 Commerce Street, Room 1452, Dallas, Texas 75242. Restitution shall be payable immediately and any unpaid balance shall be payable during incarceration. Restitution shall be disbursed to:

Apex Clearing
\$522,936.70.

Re: U.S. v. Roman Sledziejowski

If upon commencement of the term of supervised release any part of the restitution remains unpaid, the defendant shall make payments on such unpaid balance in monthly installments of not less than 10 percent of the defendant's gross monthly income, or at a rate of not less than \$50 per month, whichever is greater. Payment shall begin no later than 60 days after the defendant's release from confinement and shall continue each month thereafter until the balance is paid in full. In addition, at least 50 percent of the receipts received from gifts, tax returns, inheritances, bonuses, lawsuit awards, and any other receipt of money shall be paid toward the unpaid balance within 15 days of receipt. This payment plan shall not affect the ability of the United States to immediately collect payment in full through garnishment, the Treasury Offset Program, the Inmate Financial Responsibility Program, the Federal Debt Collection Procedures Act of 1990 or any other means available under federal or state law. Furthermore, it is ordered that interest on the unpaid balance is waived pursuant to 18 U.S.C. § 3612(f)(3).

The defendant shall pay any remaining balance of restitution in the amount of \$522,936.70, as set out in this Judgment.

The defendant shall provide to the probation officer any requested financial information.

DEFENDANT: ROMAN SLEDZIEJOWSKI
 CASE NUMBER: 3:16-CR-00101-B(1)

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	Assessment	JVTA Assessment*	Fine	Restitution
TOTALS	\$100.00	\$0.00	\$0.00	\$522,936.70

- The determination of restitution is deferred until *An Amended Judgment in a Criminal Case (AO245C)* will be entered after such determination.
- The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

Restitution of \$522,936.70 to:
 Apex Clearing

- Restitution amount ordered pursuant to plea agreement \$
- The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).
- The court determined that the defendant does not have the ability to pay interest and it is ordered that:
 - the interest requirement is waived for the fine restitution
 - the interest requirement for the fine restitution is modified as follows:

* Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22

** Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: ROMAN SLEDZIEJOWSKI
CASE NUMBER: 3:16-CR-00101-B(1)

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties is due as follows:

- A Lump sum payments of \$ 522,936.70 due immediately, balance due
 not later than _____, or
 in accordance C, D, E, or F below; or
- B Payment to begin immediately (may be combined with C, D, or F below); or
- C Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D Payment in equal monthly (e.g., weekly, monthly, quarterly) installments of not less than 10 percent of the defendant's gross monthly income, or at a rate of not less than \$50 per month, whichever is greater, until the balance is paid in full, to commence 60 days (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F Special instructions regarding the payment of criminal monetary penalties:
It is ordered that the Defendant shall pay to the United States a special assessment of \$100.00 for Count 1, which shall be due immediately. Said special assessment shall be paid to the Clerk, U.S. District Court.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

- Joint and Several
See above for Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.
- Defendant shall receive credit on his restitution obligation for recovery from other defendants who contributed to the same loss that gave rise to defendant's restitution obligation.
- The defendant shall pay the cost of prosecution.
- The defendant shall pay the following court cost(s):
- The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) JVT Assessment, (8) penalties, and (9) costs, including cost of prosecution and court costs.

INDICTMENT
SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

21

-----X
THE PEOPLE OF THE STATE OF NEW YORK

- AGAINST -

X. ROMAN SLEDZIEJOWSKI

Defendant.

-----X
COUNTS:

NON-ALIGNED
FRAUDS BUREAU
INVESTIGATIONS DIVISION

INDICTMENT 1625/2016

- GRAND LARCENY IN THE FIRST DEGREE (1 COUNT)
- MONEY LAUNDERING IN THE FIRST DEGREE (1 COUNT)
- FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE (7 COUNTS)
- CRIMINAL POSSESSION OF A FORGED INSTRUMENT IN THE SECOND DEGREE (7 COUNTS)

A TRUE BILL

DD
FOREPERSON OF THE GRAND JURY

CRIMINAL TERM ARR/MDT
SUPREME COURT KINGS
2016 MAR 11 AM 10: 28

SEC-NYSSCKC-P-0000006

At all times relevant to this Indictment, unless otherwise indicated:

INTRODUCTION

Background: The Securities Industry

A security, in a financial context, was a certificate or other financial instrument that had monetary value and could be traded. Stocks, bonds and options were examples of securities. A broker was an individual that charged a fee or commission for executing orders submitted by an investor to trade securities. A broker was employed by a broker-dealer firm. A broker-dealer firm was a company that engaged in the business of trading securities for its own account or on behalf of its customers.

The Financial Industry Regulatory Authority ("FINRA") regulated both the firms and the brokers selling securities in the United States. FINRA licensed and registered all brokers that traded securities.

The Defendant

Roman Sledziejewski was a licensed broker registered under FINRA from 1998 through 2012. He was also Chief Executive Officer of the broker-dealer firm TWS Financial, LLC., ("TWS"), known as Trade Wall Street. TWS was located at 739 Manhattan Avenue in Brooklyn. TWS was registered with FINRA from August 2006 until November 2012, when it withdrew its registration.

The Fraudulent Scheme

As a licensed broker registered with FINRA, defendant Sledziejewski executed stock and option trades on behalf of his clients through TWS. Sledziejewski developed a five-year relationship with an individual known to the grand jury (the "victim"). This individual did not have experience or knowledge of the American financial markets.

Over time, defendant Sledziejewski gained this individual's trust. Sledziejewski abused this trust, violated his ethical obligations as a broker, and victimized the individual by stealing from him. Following Sledziejewski's advice, the victim transferred money from his personal and business accounts to an account specified by Sledziejewski. Sledziejewski told the victim that Sledziejewski would use this money to make numerous investments for the victim. Sledziejewski did not invest the victim's money. Instead, Sledziejewski transferred the victim's money to another account that Sledziejewski controlled, and then used the money for his own benefit by transferring the money to other accounts in other individuals' names.

SEC-NYSSCKC-P-0000007

To conceal his theft, Sledziejowski provided false documents to the victim. The documents purported to be confirmations of trades Sledziejowski executed on the victim's behalf. Sledziejowski also gave the victim account summary statements that displayed account balances consistent with the victim's belief about the value of his account. Sledziejowski, however, never executed any of the specific trades reflected in the fraudulent trade confirmations he gave the victim. In fact, the victim's account had a zero balance.

As a result of this scheme, Sledziejowski stole approximately \$3.6 million from the victim.

COUNT ONE

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendant ROMAN SLEDZIEJOWSKI of the crime of GRAND LARCENY IN THE FIRST DEGREE, in violation of Penal Law § 155.42, committed as follows:

The defendant, in the County of Kings, from on or about November 3, 2011 to on or about February 29, 2012, as part of a common plan and scheme and pursuant to a continuing course of conduct, stole property from the victim, and the value of the property exceeded one million dollars.

COUNT TWO

AND THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, further accuses the defendant ROMAN SLEDZIEJOWSKI of the crime of MONEY LAUNDERING IN THE FIRST DEGREE, in violation of Penal Law § 470.20(1)(b)(ii)(A)(iii), committed as follows:

The defendant, individually and as a high managerial agent acting within the scope of his employment, in the County of Kings, from on or about November 3, 2011 to on or about February 29, 2012, knowing that property involved in one or more financial transactions represented the proceeds of specified criminal conduct, conducted one or more such financial transactions which in fact involved the proceeds of specified criminal conduct, knowing that the transactions in whole and in part were designed to conceal and disguise the nature, location, source, ownership and control of the proceeds of specified criminal conduct, and the total value of the property involved in such financial transaction and transactions exceeded one million dollars.

SEC-NYSSCKC-P-0000008

COUNT THREE

AND THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, further accuses the defendant ROMAN SLEDZIEJOWSKI of the crime of FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE, in violation of Penal Law § 175.10, committed as follows:

The defendant, in the County of Kings, on or about November 8, 2011, with intent to defraud, including the intent to commit another crime and to aid and conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, namely, a document dated November 8, 2011, called Trade Wall Street Trade Activity, for the "purchase of 206,000 shares of CEDC," a publicly traded company.

COUNT FOUR

AND THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, further accuses the defendant ROMAN SLEDZIEJOWSKI of the crime of CRIMINAL POSSESSION OF A FORGED INSTRUMENT IN THE SECOND DEGREE, in violation of Penal Law § 170.25, committed as follows:

The defendant, in the County of Kings, on or about November 8, 2011, with knowledge that it was forged and with intent to defraud, deceive and injure another, uttered and possessed a forged instrument of a kind specified in § 170.10, namely, a document dated November 8, 2011, called Trade Wall Street Trade Activity, for the "purchase of 206,000 shares of CEDC," a publicly traded company.

COUNT FIVE

AND THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, further accuses the defendant ROMAN SLEDZIEJOWSKI of the crime of FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE, in violation of Penal Law § 175.10, committed as follows:

The defendant, in the County of Kings, on or about November 16, 2011, with intent to defraud, including the intent to commit another crime and to aid and conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, namely, a document dated November 16, 2011, called Trade Wall Street Trade Activity, for the "purchase of 54,300 shares of CEDC," a publicly traded company.

SEC-NYSSCKC-P-0000009

COUNT SIX

AND THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, further accuses the defendant ROMAN SLEDZIEJOWSKI of the crime of CRIMINAL POSSESSION OF A FORGED INSTRUMENT IN THE SECOND DEGREE, in violation of Penal Law § 170.25, committed as follows:

The defendant, in the County of Kings, on or about November 16, 2011, with knowledge that it was forged and with intent to defraud, deceive and injure another, uttered and possessed a forged instrument of a kind specified in § 170.10, namely, a document dated November 16, 2011, called Trade Wall Street Trade Activity, for the "purchase of 54,300 shares of CEDC," a publicly traded company.

COUNT SEVEN

AND THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, further accuses the defendant ROMAN SLEDZIEJOWSKI of the crime of FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE, in violation of Penal Law § 175.10, committed as follows:

The defendant, in the County of Kings, on or about November 17, 2011, with intent to defraud, including the intent to commit another crime and to aid and conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, namely, a document dated November 17, 2011, called Trade Wall Street Trade Activity, for the "purchase of 91,000 shares of CEDC," a publicly traded company.

COUNT EIGHT

AND THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, further accuses the defendant ROMAN SLEDZIEJOWSKI of the crime of CRIMINAL POSSESSION OF A FORGED INSTRUMENT IN THE SECOND DEGREE, in violation of Penal Law § 170.25, committed as follows:

The defendant, in the County of Kings, on or about November 17, 2011, with knowledge that it was forged and with intent to defraud, deceive and injure another, uttered and possessed a forged instrument of a kind specified in § 170.10, namely, a document dated November 17, 2011, called Trade Wall Street Trade Activity, for the "purchase of 91,000 shares of CEDC," a publicly traded company.

SEC-NYSSCKC-P-0000010

COUNT NINE

AND THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, further accuses the defendant ROMAN SLEDZIEJOWSKI of the crime of FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE, in violation of Penal Law § 175.10, committed as follows:

The defendant, in the County of Kings, on or about December 19, 2011, with intent to defraud, including the intent to commit another crime and to aid and conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, namely, a document dated December 19, 2011, called Trade Wall Street Trade Activity, for the "purchase of 95,000 shares of CXPO, CEDC4.65 PT," options of a publicly traded company.

COUNT TEN

AND THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, further accuses the defendant ROMAN SLEDZIEJOWSKI of the crime of CRIMINAL POSSESSION OF A FORGED INSTRUMENT IN THE SECOND DEGREE, in violation of Penal Law § 170.25, committed as follows:

The defendant, in the County of Kings, on or about December 19, 2011, with knowledge that it was forged and with intent to defraud, deceive and injure another, uttered and possessed a forged instrument of a kind specified in § 170.10, namely, a document dated December 19, 2011, called Trade Wall Street Trade Activity, for the "purchase of 95,000 shares of CXPO, CEDC4.65 PT," options of a publicly traded company.

COUNT ELEVEN

AND THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, further accuses the defendant ROMAN SLEDZIEJOWSKI of the crime of FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE, in violation of Penal Law § 175.10, committed as follows:

The defendant, in the County of Kings, on or about December 19, 2011, with intent to defraud, including the intent to commit another crime and to aid and conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, namely, a document dated December 19, 2011, called Trade Wall Street Trade Activity, for the "purchase of 95,000 shares of CEDC," a publicly traded company.

SEC-NYSSCKC-P-0000011

COUNT TWELVE

AND THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, further accuses the defendant ROMAN SLEDZIEJOWSKI of the crime of CRIMINAL POSSESSION OF A FORGED INSTRUMENT IN THE SECOND DEGREE, in violation of Penal Law § 170.25, committed as follows:

The defendant, in the County of Kings, on or about December 19, 2011, with knowledge that it was forged and with intent to defraud, deceive and injure another, uttered and possessed a forged instrument of a kind specified in § 170.10, namely, a document dated December 19, 2011, called Trade Wall Street Trade Activity, for the "purchase of 95,000 shares of CEDC," a publicly traded company.

COUNT THIRTEEN

AND THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, further accuses the defendant ROMAN SLEDZIEJOWSKI of the crime of FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE, in violation of Penal Law § 175.10, committed as follows:

The defendant, in the County of Kings, on or about December 31, 2011, with intent to defraud, including the intent to commit another crime and to aid and conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, namely, a document dated December 31, 2011, called Trade Wall Street Trade Account Summary Statement.

COUNT FOURTEEN

AND THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, further accuses the defendant ROMAN SLEDZIEJOWSKI of the crime of CRIMINAL POSSESSION OF A FORGED INSTRUMENT IN THE SECOND DEGREE, in violation of Penal Law § 170.25, committed as follows:

The defendant, in the County of Kings, on or about December 31, 2011, with knowledge that it was forged and with intent to defraud, deceive and injure another, uttered and possessed a forged instrument of a kind specified in § 170.10, namely, a document dated December 31, 2011, called Trade Wall Street Account Summary Statement.

SEC-NYSSCKC-P-0000012

COUNT FIFTEEN

AND THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, further accuses the defendant ROMAN SLEDZIEJOWSKI of the crime of FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE, in violation of Penal Law § 175.10, committed as follows:

The defendant, in the County of Kings, on or about May 11, 2012, with intent to defraud, including the intent to commit another crime and to aid and conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, namely a document dated May 11, 2012, called Trade Wall Street Account Summary Statement.

COUNT SIXTEEN

AND THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, further accuses the defendant ROMAN SLEDZIEJOWSKI of the crime of CRIMINAL POSSESSION OF A FORGED INSTRUMENT IN THE SECOND DEGREE, in violation of Penal Law § 170.25, committed as follows:

The defendant, in the County of Kings, on or about May 11, 2012, with knowledge that it was forged and with intent to defraud, deceive and injure another, uttered and possessed a forged instrument of a kind specified in § 170.10, namely, a document dated May 11, 2012, called Trade Wall Street Account Summary Statement.



**KENNETH P. THOMPSON
DISTRICT ATTORNEY**

SEC-NYSSCKC-P-0000013

SUPREME COURT OF THE STATE OF NEW YORK NO FEE
 KINGS COUNTY
 320 JAY STREET
 BROOKLYN, NY 11201

CERTIFICATE OF DISPOSITION INDICTMENT

DATE: 07/08/2019

CERTIFICATE OF DISPOSITION NUMBER: 62553

PEOPLE OF THE STATE OF NEW YORK
 VS.

CASE NUMBER: 01625-2016
 LOWER COURT NUMBER(S):
 DATE OF ARREST: 05/26/2016
 ARREST #: K16638982
 DATE OF BIRTH: 12/18/1980
 DATE FILED: 03/11/2016

SLEDZIEJOWSKI, ROMAN

DEFENDANT

I HEREBY CERTIFY THAT IT APPEARS FROM AN EXAMINATION OF THE RECORDS ON FILE IN THIS OFFICE THAT ON 03/13/2019 THE ABOVE NAMED DEFENDANT WAS CONVICTED OF THE CRIME(S) BELOW BEFORE JUSTICE CHUN,D THEN A JUSTICE OF THIS COURT.

ATTEMPTED CRIMINAL POSSESSION OF A FORGED INSTRUMENT 2nd DEGREE PL 110-170.25 00 EP

THAT ON 03/13/2019, UPON THE AFORESAID CONVICTION BY PLEA THE HONORABLE CHUN,D THEN A JUDGE OF THIS COURT, SENTENCED THE DEFENDANT TO

ATTEMPTED CRIMINAL POSSESSION OF A FORGED INSTRUMENT 2nd DEGREE PL 110-170.25 00 EP
 CONDITIONAL DISCHARGE = 3 YEAR(S)
 ORDER OF PROTECTION = 8 YEAR(S)

CVAF = \$25 (PAID)
 DNA = \$50 (PAID)
 SURCHARGE = \$300 (PAID)

IN WITNESS WHEREOF, I HAVE HEREBY SET MY HAND AND AFFIXED MY OFFICIAL SEAL ON THIS DATE 07/08/2019.

Nancy ? Sunshine

COURT CLERK

SEC-NYSSCKC-P-0000015

OS Received 05/24/2021

APP 0029

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 87076 / September 24, 2019

ADMINISTRATIVE PROCEEDING
File No. 3-19502

In the Matter of

ROMAN SLEDZIEJOWSKI,

Respondent.

ORDER INSTITUTING ADMINISTRATIVE
PROCEEDINGS PURSUANT TO SECTION
15(b) OF THE SECURITIES EXCHANGE
ACT OF 1934 AND NOTICE OF HEARING

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 Roman Sledziejowski (“Respondent” or “Sledziejowski”).

II.

After an investigation, the Division of Enforcement alleges that:

A. RESPONDENT

1. From September 2006 through November 2012, Respondent was the CEO, principal and indirect majority shareholder of TWS Financial, LLC (“TWS”), a broker-dealer registered with the Commission.

B. RESPONDENT’S CRIMINAL CONVICTIONS

2. On February 14, 2019, Sledziejowski pleaded guilty to one count of obstruction of proceedings before a department or agency of the United States in violation of Title 18 of the United States Code, Section 1505, before the United States District Court for the Northern District of Texas in *United States v. Roman Sledziejowski*, Crim. Information No. 3:16-CR-101 (N.D. Tex.). On February 19, 2019, a judgment in the criminal case was entered against

Sledziejowski. He was sentenced to a prison term of 15 months followed by two years of supervised release and ordered to make restitution in the amount of \$522,936.70.

3. The count of the superseding criminal information to which Sledziejowski pleaded guilty alleges that the SEC had commenced an investigation into sales of certain securities and that Sledziejowski intentionally endeavored corruptly to influence, obstruct and impede the investigation. Specifically, the superseding information alleges Sledziejowski gave evasive and misleading answers in August 2012 testimony before FINRA concerning the identities of individuals in Poland who received funds from Innovest, the owner of TWS, following the sale the of securities knowing that his answers would likely impede the SEC's investigation.

4. On March 13, 2019, Sledziejowski pleaded guilty to attempted criminal possession of a forged instrument, a second degree felony, in New York Supreme Court in Kings County. *People v. Roman Sledziejowski*, Case No. 01625-2016 (N.Y. Sup. Ct., Kings Cty.). On March 13, 2109, Sledziejowski was sentenced to three years conditional discharge and an eight-year order of protection.

5. The state charges against Sledziejowski's stem from his alleged fraudulent misconduct with a TWS customer involving the use of a forged account statement.

III.

In view of the allegations made by the Division of Enforcement, the Commission deems it necessary and appropriate in the public interest that public administrative proceedings be instituted to determine:

A. Whether the allegations set forth in Section II hereof are true and, in connection therewith, to afford Respondent an opportunity to establish any defenses to such allegations;

B. What, if any, remedial action is appropriate in the public interest against Respondent pursuant to Section 15(b) of the Exchange Act; and

C. Whether, pursuant to Section 15(b) of the Exchange Act, it is appropriate and in the public interest to suspend or bar Respondent from participating in any offering of 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.

IV.

IT IS ORDERED that a public hearing before the Commission for the purpose of taking evidence on the questions set forth in Section III hereof shall be convened at a time and place to be fixed by further order of the Commission, pursuant to Rule 110 of the Commission's Rules of Practice, 17 C.F.R. § 201.110.

IT IS FURTHER ORDERED that Respondent shall file an Answer to the allegations contained in this Order within twenty (20) days after service of this Order, as provided by Rule 220(b) of the Commission's Rules of Practice, 17 C.F.R. § 201.220(b).

IT IS FURTHER ORDERED that the Division of Enforcement and Respondent shall conduct a prehearing conference pursuant to Rule 221 of the Commission's Rules of Practice, 17 C.F.R. § 201.221, within fourteen (14) days of service of the Answer. The parties may meet in person or participate by telephone or other remote means; following the conference, they shall file a statement with the Office of the Secretary advising the Commission of any agreements reached at said conference. If a prehearing conference was not held, a statement shall be filed with the Office of the Secretary advising the Commission of that fact and of the efforts made to meet and confer.

If Respondent fails to file the directed Answer, or fails to appear at a hearing or conference after being duly notified, the Respondent may be deemed in default and the proceedings may be determined against him upon consideration of this Order, the allegations of which may be deemed to be true as provided by Rules 155(a), 220(f), 221(f) and 310 of the Commission's Rules of Practice, 17 C.F.R. §§ 201.155(a), 201.220(f), 201.221(f), and 201.310.

This Order shall be served forthwith upon Respondent by any means permitted by the Commission's Rules of Practice.

Attention is called to Rule 151(b) and (c) of the Commission's Rules of Practice, 17 C.F.R. § 201.151(b) and (c), providing that when, as here, a proceeding is set before the Commission, all papers (including those listed in the following paragraph) shall be filed with the Office of the Secretary and all motions, objections, or applications will be decided by the Commission. The Commission requests that an electronic courtesy copy of each filing should be emailed to APFilings@sec.gov in PDF text-searchable format. Any exhibits should be sent as separate attachments, not a combined PDF.

The Commission finds that it would serve the interests of justice and not result in prejudice to any party to provide, pursuant to Rule 100(c) of the Commission's Rules of Practice, 17 C.F.R. § 201.100(c), that notwithstanding any contrary reference in the Rules of Practice to filing with or disposition by a hearing officer, all filings, including those under Rules 210, 221, 222, 230, 231, 232, 233, and 250 of the Commission's Rules of Practice, 17 C.F.R. §§ 201.210, 221, 222, 230, 231, 232, 233, and 250, shall be directed to and, as appropriate, decided by the Commission. This proceeding shall be deemed to be one under the 75-day timeframe specified in Rule of Practice 360(a)(2)(i), 17 C.F.R. § 201.360(a)(2)(i), for the purposes of applying Rules of Practice 233 and 250, 17 C.F.R. §§ 201.233 and 250.

The Commission finds that it would serve the interests of justice and not result in prejudice to any party to provide, pursuant to Rule 100(c) of the Commission's Rules of Practice, 17 C.F.R. § 201.100(c), that the Commission shall issue a decision on the basis of the record in this proceeding, which shall consist of the items listed at Rule 350(a) of the Commission's Rules of Practice, 17 C.F.R. § 201.350(a), and any other document or item filed with the Office of the Secretary and accepted into the record by the Commission. The provisions of Rule 351 of the

Commission's Rules of Practice, 17 C.F.R. § 201.351, relating to preparation and certification of a record index by the Office of the Secretary or the hearing officer are not applicable to this proceeding.

The Commission will issue a final order resolving the proceeding after one of the following: (A) The completion of post-hearing briefing in a proceeding where the public hearing has been completed; (B) The completion of briefing on a motion for a ruling on the pleadings or a motion for summary disposition pursuant to Rule 250 of the Commission's Rules of Practice, 17 C.F.R. § 201.250, where the Commission has determined that no public hearing is necessary; or (C) The determination that a party is deemed to be in default under Rule 155 of the Commission's Rules of Practice, 17 C.F.R. § 201.155, and no public hearing is necessary.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision of this matter, except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of Section 551 of the Administrative Procedure Act, it is not deemed subject to the provisions of Section 553 delaying the effective date of any final Commission action.

By the Commission.

Vanessa A. Countryman
Secretary


By: Jill M. Peterson
Assistant Secretary

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Find By Number

Find By Name

First	Middle	Last	Race	Age	Sex
<input type="text" value="Roman"/>	<input type="text"/>	<input type="text" value="Sledziejowski"/>	<input type="text" value=""/>	<input type="text" value=""/>	<input type="text" value=""/>

1 Result for search **ROman Sledziejowski** [Clear Form](#)



ROMAN SLEDZIEJOWSKI

Register Number: 29642-076

Age: 40
Race: White
Sex: Male

Released On: 06/05/2020

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