

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 56550 / September 27, 2007

Administrative Proceeding
File No. 3-12844

In the Matter of	:	
	:	
	:	ORDER INSTITUTING
	:	ADMINISTRATIVE PROCEEDINGS
MARK PALAZZO and	:	PURSUANT TO SECTION 15(b) OF
EDWARD TACKABERRY,	:	THE SECURITIES EXCHANGE ACT
	:	OF 1934, MAKING FINDINGS, AND
	:	IMPOSING REMEDIAL SANCTIONS
Respondents.	:	
	:	

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 Mark Palazzo (“Palazzo”) and Edward Tackaberry (“Tackaberry,” collectively, the “Respondents”).

II.

In anticipation of the institution of these proceedings, Palazzo and Tackaberry have submitted their Offer of Settlement (“Offer”), which the Commission has determined to accept. Solely for the purpose of these proceedings and any other proceedings brought by or on behalf of the Commission, or to which the Commission is a party, and without admitting or denying the findings herein, except as to the Commission’s jurisdiction over Respondents, the subject matter of these proceedings, and the findings contained in Section III.D below, which are admitted, Respondents consent to the entry of this Order Instituting Administrative Proceedings Pursuant to Section 15(b) of the Securities Exchange Act of 1934, Making Findings, and Imposing Remedial Sanctions (“Order”), as set forth below.

III.

On the basis of this Order and the Offer, the Commission finds that:

A. Palazzo, age 46, resides in Pittsford, New York, and was a co-owner of Pittsford Income Partners I, L.L.C., Pittsford Income Partners II, L.L.C., Pittsford Income Partners III, L.L.C., Pittsford Income Partners IV, L.L.C., Pittsford Income Partners V, L.L.C., and Jefferson Income Partners, L.L.C. (collectively the “Pittsford Issuers”), Pittsford Capital Mortgage Partners, L.L.C., Pittsford Capital Group, Inc. and Pittsford Capital, L.L.C. Palazzo also had an ownership interest in Communicate Wireless, L.L.C. Palazzo has held Series 6, 22, 24, 62, 63 and 65 securities licenses. From at least 1998 to 2005, Palazzo was associated with the following registered broker-dealers: Pittsford Capital Markets, Inc., Paramount Financial Capital Markets, Inc., Essex Capital Markets, Inc., VFinance Investments, Inc., and New England Securities, Inc.

B. Tackaberry, age 56, resides in Pittsford, New York, and was a co-owner of the Pittsford Issuers, Pittsford Capital Mortgage Partners, L.L.C., Pittsford Capital Group, Inc. and Pittsford Capital, L.L.C. Tackaberry also had an ownership interest in Communicate Wireless, L.L.C. From 2005 through 2006, Tackaberry was also part-owner and branch office manager of the Pittsford branch of Concord Equity Group, a registered broker-dealer. Tackaberry has held Series 2, 7, 24, 63 and 65 securities licenses, and he was previously associated with other registered broker-dealers, including VFinance Investments, Inc. from 2002 through 2005, Pittsford Capital Markets, Inc. from 1994 through 2003, and Essex Capital Markets, Inc. from 1986 through 1994.

C. On July 14, 2006, the Commission filed a complaint (“Complaint”) against Palazzo, Tackaberry, and others (SEC v. Pittsford Capital Income Partners, L.L.C., et al., 06 Civ. 6353 T(P) (W.D.N.Y.)), alleging, among other things, that from 1996 through 2006, Respondents raised more than \$15 million from nearly 300 investors through fraudulent unregistered offerings of promissory notes and investment units issued by the Pittsford Issuers. The Complaint further alleges that Respondents defrauded investors by making material misrepresentations and omissions with respect to the securities involved in the offerings. The Complaint charged Palazzo and Tackaberry with violations of Section 17(a) of the Securities Act of 1933 (“Securities Act”), Section 10(b) of the Exchange Act, and Rule 10b-5 thereunder.

D. On August 30, 2007, following the entry of an Order granting the Commission’s motion for summary judgment against Palazzo and Tackaberry, a final judgment was entered in the United States District Court for the Western District of New York against Palazzo and Tackaberry which, in addition to other relief, permanently enjoined them from future violations of Section 17(a) of the Securities Act, Section 10(b) of the Exchange Act and Rule 10b-5 thereunder.

IV.

In view of the foregoing, the Commission deems it appropriate and in the public interest to impose the sanctions agreed to in the Offer submitted by Palazzo and Tackaberry.

Accordingly, it is hereby ORDERED:

Pursuant to Section 15(b)(6) of the Exchange Act that Palazzo and Tackaberry be, and hereby are barred from association with any broker or dealer.

Any reapplication for association by Palazzo or Tackaberry will be subject to the applicable laws and regulations governing the reentry process, and reentry may be conditioned upon a number of factors, including, but not limited to, the satisfaction of any or all of the following: (a) any disgorgement ordered against Palazzo and Tackaberry, whether or not the Commission has fully or partially waived payment of such disgorgement; (b) any arbitration award related to the conduct that served as the basis for the Commission order; (c) any self-regulatory organization arbitration award to a customer, whether or not related to the conduct that served as the basis for the Commission order; and (d) any restitution order by a self-regulatory organization, whether or not related to the conduct that served as the basis for the Commission order.

For the Commission, by its Secretary, pursuant to delegated authority.

Nancy M. Morris
Secretary