

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 68990 / February 26, 2013

ADMINISTRATIVE PROCEEDING
File No. 3-15219

In the Matter of

EDWARD TACKABERRY,

Respondent.

**ORDER INSTITUTING
ADMINISTRATIVE PROCEEDINGS
PURSUANT TO SECTION 15(b) OF THE
SECURITIES EXCHANGE ACT OF 1934,
MAKING FINDINGS, AND IMPOSING
REMEDIAL SANCTIONS**

I.

The Securities and Exchange Commission (“Commission”) deems it appropriate and in the public interest that public administrative proceedings be, and hereby are, instituted pursuant to Section 15(b) of the Securities Exchange Act of 1934 (“Exchange Act”) against Edward Tackaberry (“Tackaberry,” or “Respondent”).

II.

In anticipation of the institution of these proceedings, Respondent has submitted an Offer of Settlement (the “Offer”) which the Commission has determined to accept. Solely for the purpose of these proceedings and any other proceedings brought by or on behalf of the Commission, or to which the Commission is a party, and without admitting or denying the findings herein, except as to the Commission’s jurisdiction over him and the subject matter of these proceedings and the findings contained in Section III.2 below, which are admitted, Respondent consents 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 Respondent's Offer, the Commission finds that:

1. Tackaberry is 60 years old and a resident of Fairport, New York, and from 1981 through 2006, was a registered representative of various broker-dealers. From in or around 2006 through in or around 2011, Tackaberry worked for several small, related New York Limited Companies (the "LLCs") located in Pittsford, New York, which consist of, inter alia, Charge-On Demand LLC, Innovations Group Enterprises LLC, and Stucco LLC, all of which were registered with the New York Secretary of State in 2008 and purportedly pursued entrepreneurial business ideas.

2. On September 25, 2012, a final judgment was entered by consent against Tackaberry, permanently enjoining him from future violations of Sections 15(a) and 15(b)(6)(B)(i) of the Exchange Act, in the civil action entitled Securities and Exchange Commission v. Edward Tackaberry, Civil Action Number 12 Civ. 6512 T, in the United States District Court for the Western District of New York.

3. The Commission's complaint alleged that on August 30, 2007, in a previously filed civil action entitled SEC v. Pittsford Capital Income Partners, L.L.C., et al., 06 Civ. 6353 T(P), in the United States District Court for the Western District of New York, a final judgment was entered against Tackaberry permanently enjoining him from future violations of Section 17(a) of the Securities Act of 1933, and Section 10(b) of the Exchange Act, and Rule 10b-5 thereunder. On September 27, 2007, based on such injunction, the Commission barred Tackaberry from association with any broker or dealer. The complaint further alleged that, from in or around 2007 through 2009, in violation of the Commission's September 27, 2007 order, Tackaberry acted as an unregistered broker-dealer, and associated with an unregistered broker-dealer in connection with the solicitation of investors in securities issued by the LLCs. Tackaberry allegedly did so by serving as several prospective investors' first contact with the LLCs, describing the investments and how they would be documented, negotiating the terms of investment with some of the investors, and documenting investment transactions in several instances.

IV.

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

Accordingly, it is hereby ORDERED pursuant to Section 15(b)(6) of the Exchange Act that Respondent Tackaberry be, and hereby is:

barred from association with any broker, dealer, investment adviser, municipal securities dealer, municipal advisor, transfer agent, or nationally recognized statistical rating organization; and

barred from participating in any offering of a 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.

Any reapplication for association by the Respondent will be subject to the applicable laws and regulations governing the reentry process, and reentry may be conditioned upon a number of factors, including, but not limited to, the satisfaction of any or all of the following: (a) any disgorgement ordered against the Respondent, 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.

By the Commission.

Elizabeth M. Murphy
Secretary