

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 76361 / November 5, 2015

ADMINISTRATIVE PROCEEDING
File No. 3-16944

In the Matter of

DAVID K. HIRSCHMAN,

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 David K. Hirschman (“Hirschman” 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.B. herein, 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:

A. Between June and October, 2012, Hirschman offered Caribbean Pacific Marketing, Inc. (“Caribbean Pacific”) stock in unregistered transactions raising approximately \$271,500 from 18 investors located in various states. Unbeknownst to these investors, Hirschman and another

individual misappropriated and misused almost all of the investor money they raised. At all relevant times, Hirschman acted as a broker but was not registered with the Commission in any capacity.

B. On October 27, 2015, a final judgment was entered by consent against Hirschman, permanently enjoining him from future violations of Sections 5(a), 5(c), and 17(a) of the Securities Act of 1933 (“Securities Act”), Sections 10(b), 15(a), and Rule 10b-5 of the Exchange Act, in the civil action entitled Securities and Exchange Commission v. David K. Hirschman, et al., Civil Action Number 0:15-cv-61861-WJZ, in the United States District Court for the Southern District of Florida. The Court also imposed a permanent penny stock bar upon Hirschman. Further, the Court ordered Hirschman to pay disgorgement of ill-gotten gains, prejudgment interest, and a civil money penalty with the amounts to be determined at a later date upon the Commission’s motion.

C. The Commission’s complaint alleged, among other things, that from no later than June 2012 through October 2012, Hirschman and another individual raised approximately \$271,500 from 18 investors in various states. The investors purchased the Caribbean Pacific shares as part of an unregistered offering. Hirschman told investors that Caribbean Pacific would be conducting an IPO and would subsequently merge with Dreamscapes, a company that had a land development in Belize. Hirschman told investors that the proceeds from the stock sales would be used to further Dreamscapes’ development or help take Caribbean Pacific public. Contrary to what he told investors, Hirschman spent only approximately \$2,200 of investor funds on expenses related to Caribbean Pacific’s IPO and the business development of Dreamscapes. Hirschman and another individual misappropriated most of the \$271,500 raised from investors for their personal use.

IV.

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

Accordingly, it is hereby ORDERED pursuant to Section 15(b)(6) of the Exchange Act that Respondent Hirschman 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.

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.

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

Brent J. Fields
Secretary