

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

INVESTMENT ADVISERS ACT OF 1940
Release No. 4123 / June 22, 2015

ADMINISTRATIVE PROCEEDING
File No. 3-16642

In the Matter of

JOHN V. JOHNSON,

Respondent.

ORDER INSTITUTING
ADMINISTRATIVE PROCEEDINGS
PURSUANT TO SECTION 203(f) OF THE
INVESTMENT ADVISERS ACT OF 1940,
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 203(f) of the Investment Advisers Act of 1940 (“Advisers Act”) against John V. Johnson (“Johnson” 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, Respondent admits the Commission’s jurisdiction over him and the subject matter of these proceedings, and the findings contained in Sections III.2. and III.4., below, and consents to the entry of this Order Instituting Administrative Proceedings Pursuant to Section 203(f) of the Investment Advisers Act of 1940, 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. Johnson, age 49, resides in Arvada, Colorado. From 2002 through 2008, Johnson was an analyst and assistant portfolio manager in the Denver, Colorado office of The Boston Company Asset Management LLC, a registered investment adviser based in Boston, Massachusetts.

2. On June 11, 2015, a final judgment was entered by consent against Johnson in the civil action entitled Securities and Exchange Commission v. Teeple, et al., Civil Action Number 13-CV-2010, in the United States District Court for the Southern District of New York. The judgment, *inter alia*, permanently enjoins Johnson from future 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.

3. The Commission’s complaint alleged that, Johnson executed purchases and sales of securities based on material non-public information that he received from a hedge fund analyst and that Johnson knew, recklessly disregarded, or should have known, that such material nonpublic information was disclosed or misappropriated in breach of a fiduciary duty, or similar relationship of trust and confidence.

4. On April 23, 2015, Johnson pled guilty to one count conspiracy to commit securities fraud in violation of 18 U.S.C. § 371 and one count of securities fraud in violation of 15 U.S.C. §§ 78j(b) and 78ff before the United States District Court for the Southern District of New York, in United States v. John Johnson, 13-CR-190. Johnson was sentenced to two years of supervised release and ordered to perform 50 hours of community service.

5. The counts of the criminal indictment to which Johnson pled guilty alleged, *inter alia*, that Johnson, and others, participated in a scheme to defraud by executing securities trades based on material nonpublic information that had been disclosed or misappropriated in violation of duties of trust and confidence, and that he unlawfully, willfully and knowingly did so, directly and indirectly, by use of the means and instrumentalities of interstate commerce, and of the mails, and of the facilities of national securities exchanges, in connection with the purchase and sale of securities.

IV.

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

Accordingly, it is hereby ORDERED pursuant to Section 203(f) of the Advisers Act that Respondent Johnson 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.

By the Commission.

Brent J. Fields
Secretary