

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

INVESTMENT ADVISERS ACT OF 1940
Release No. 4516 / August 31, 2016

ADMINISTRATIVE PROCEEDING
File No. 3-17521

In the Matter of

MARIO PINCHEIRA,

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 Mario Pincheira (“Respondent”).

II.

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 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. Mario Pincheira, 53, is a resident of Alta Loma, California. Pincheira was designated as director of client relations and property manager for an unregistered investment fund, Secured Capital Investments, LLC ("SCI") founded by his childhood friend Paul Mata. Pincheira's responsibilities for SCI included overseeing the fund's residential and commercial holdings. Pincheira also was identified as director of client relations at Mata's investment adviser firm, Logos Wealth Advisors ("LWA"), for which Pincheira signed documents as LWA's corporate secretary. Pincheira was a co-signatory, along with Mata, to SCI's primary bank account and several affiliated accounts. Pincheira has never held any securities licenses or registrations..

2. On June 17, 2016, a final judgment was entered by consent against Pincheira, permanently enjoining him from future violations of Section 17(a) of the Securities Act of 1933 ("Securities Act") and Section 10(b) of the Exchange Act of 1934 ("Exchange Act) and Rule 10b-5 thereunder, in the civil action entitled Securities and Exchange Commission v. Paul Mata, et al., Civil Action Number 5:15-cv-01792-VAP-KK, in the United States District Court for the Central District of California.

3. The Commission's complaint alleged that, because Mata and SCI had insufficient credit to open a business credit card account, Pincheira added Mata and SCI's fund manager David Kayatta as authorized users on Pincheira's personal American Express account. In return, Mata directed Pincheira to pay the card balances using SCI's funds. Mata, Kayatta, and Pincheira used the American Express card for personal charges wholly unrelated to SCI business expenses. The personal charges included dinners, personal travel, entertainment, and cultural events. SCI investor monies were used to pay the American Express balances that included the personal charges of Mata, Kayatta, and Pincheira. Between 2012 and 2014, Pincheira incurred at least \$57,169.33 in personal charges that were paid for with SCI investor funds.

IV.

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

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