

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 80195 / March 9, 2017

ADMINISTRATIVE PROCEEDING
File No. 3-17872

In the Matter of

MARK M. GEORGE

Respondent.

**ORDER OF FORTHWITH SUSPENSION
PURSUANT TO RULE 102(e)(2) OF THE
COMMISSION'S RULES OF PRACTICE**

I.

The Securities and Exchange Commission ("Commission") deems it appropriate to issue an order of forthwith suspension of Mark M. George pursuant to Rule 102(e)(2) of the Commission's Rules of Practice (17 C.F.R. § 200.102(e)(2)).¹

II.

The Commission finds that:

1. Mark M. George was a licensed attorney in Ohio from November 7, 1988 until his interim suspension by the Supreme Court of Ohio on November 23, 2016.

2. On May 29, 2014, the Commission filed a civil action against multiple defendants, including George, for violations of the federal securities laws. The Commission alleged that George facilitated a fraudulent scheme involving the purported purchase and resale of fuel products by signing escrow agreements with investors that promised that: (a) he would hold investor funds in escrow in his Interest on Lawyers' Trust Accounts ("IOLTA")² until an

¹ Rule 102(e)(2) provides, in pertinent part, that "any person who has been convicted of a felony . . . shall be forthwith suspended from appearing or practicing before the Commission."

² An IOLTA is an interest-bearing account for holding client funds. In Ohio, the accrued interest is transferred to the state treasurer for deposit into a legal aid fund.

approved purchase order was received; (b) investor funds would be released from the IOLTA account only to pay invoices for the purchase of fuel; and (c) proceeds from resale of the fuel would be sent straight to the IOLTA account from which investors would be paid their monthly returns before the company received any excess. The Commission alleged that George completely disregarded the escrow arrangement. He did not hold the investor funds in his IOLTA account pending the submissions of invoices and did not direct payments to third parties to pay off the invoices. Instead, George effectively ceded control of the investor funds to his co-defendants by wiring them money at their request. The co-defendants were able to use funds from new investors to cover the monthly payments owed to existing investors, for personal expenditures, and for payments to others—including George—for their involvement in the scheme.

3. On July 11, 2016, in a criminal action titled *United States v. Abdallah*, Case No. 15-cr-231 (N.D. Ohio), George pleaded guilty to one count of conspiracy to commit wire fraud and securities fraud under 18 U.S.C. § 1349 based on the scheme described above. On October 28, 2016, George was sentenced to 21 months in prison and 3 years of supervised release, and was ordered to make restitution.

III.

In view of the foregoing, the Commission finds that George has been suspended by the Supreme Court of Ohio and convicted of a felony involving moral turpitude within the meaning of Rule 102(e)(2) of the Commission's Rules of Practice.

Accordingly, it is ORDERED that Mark M. George is forthwith suspended from appearing or practicing before the Commission pursuant to Rule 102(e)(2) of the Commission's Rules of Practice.

By the Commission.

Brent J. Fields
Secretary