

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 83772 / August 3, 2018

ACCOUNTING AND AUDITING ENFORCEMENT
Release No. 3953 / August 3, 2018

ADMINISTRATIVE PROCEEDING
File No. 3-18621

In the Matter of

KURT J. BORDIAN, CPA,

Respondent.

**ORDER INSTITUTING PUBLIC
ADMINISTRATIVE PROCEEDINGS
PURSUANT TO RULE 102(e) OF THE
COMMISSION'S RULES OF PRACTICE,
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 against Kurt J. Bordian (“Respondent” or “Bordian”) pursuant to Rule 102(e)(3)(i) of the Commission’s Rules of Practice.¹

¹ Rule 102(e)(3)(i) provides, in relevant part, that:

The Commission, with due regard to the public interest and without preliminary hearing, may, by order, . . . suspend from appearing or practicing before it any . . . accountant . . . who has been by name . . . permanently enjoined by any court of competent jurisdiction, by reason of his or her misconduct in an action brought by the Commission, from violating or aiding and abetting the violation of any provision of the Federal securities laws or of the rules and regulations thereunder.

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 below, which are admitted, Respondent consents to the entry of this Order Instituting Administrative Proceedings Pursuant to Rule 102(e) of the Commission’s Rules of Practice, 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. Kurt J. Bordian (“Bordian”), age 49, resides in Vancouver, British Columbia. Bordian is a Canadian Chartered Professional Accountant and Certified General Accountant licensed in British Columbia, Vancouver.

2. On June 12, 2018, the Commission filed a complaint against Bordian in SEC v. Bordian (Civil Action No. 2:18-cv-10437). On July 27, 2018, the court entered an order permanently enjoining Bordian, by consent, from future violations of Section 10(b) of the Exchange Act and Rule 10b-5 thereunder. The court’s order also imposed an officer and director bar, and ordered Bordian to pay \$220,500 in disgorgement of ill-gotten gains from insider trading, and \$14,358 in prejudgment interest; and a \$220,500 civil money penalty.

3. The Commission’s complaint alleged, among other things, that in May 2016, Bordian engaged in unlawful insider trading in the securities of InterOil Corporation (“InterOil”), a Canadian oil and gas company that had securities registered with the Commission and listed on the New York Stock Exchange. The complaint alleged that Bordian, who worked as an accountant and personal assistant for a member of InterOil’s board of directors, traded on material nonpublic information that InterOil was entering into an agreement to be acquired. The complaint alleged that Bordian made \$220,500 in illicit profits from this insider trading.

IV.

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

Accordingly, it is hereby ORDERED, effective immediately, that:

Bordian is suspended from appearing or practicing before the Commission as an accountant.

By the Commission.

Brent J. Fields
Secretary