

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 85694 / April 19, 2019

ADMINISTRATIVE PROCEEDING
File No. 3-19147

In the Matter of

HARVEY PAUL TABB,

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 Harvey Paul Tabb (“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 paragraph III.B. below, and 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. Tabb, aged 74, is currently incarcerated in a federal prison facility in Butner, North Carolina. Tabb was associated with Crescent Securities Corporation between 1987 and 1988 and previously held Series 22 and 63 licenses.

B. On November 30, 2017, Respondent pled guilty to one count of wire fraud in violation of Title 18 United States Code Section 1343 before the United States District Court for the Central District of California in *United States v. Harvey Tabb*, Case No. 8:18-CR-00038-JLS. On September 13, 2018, a judgment in the criminal case was entered against Respondent. He was sentenced to a prison term of 6 months followed by three years of supervised release.

C. Respondent acted as an unregistered broker-dealer in connection with a penny stock manipulation scheme. The count of the criminal information to which Respondent pled guilty alleged that Respondent, while knowingly and with the intent to defraud, devised and executed a scheme to defraud and obtain money from investors by means of materially false and fraudulent pretenses, representations, and promises, and the concealment of material facts in connection with a penny stock manipulation scheme, for the purpose of executing said scheme to defraud, caused the transmission, by means of wire communication in interstate commerce, of a certain wire transfer of 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's Offer.

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

Pursuant to Section 15(b)(6) of the Exchange Act, Respondent be, and hereby is, barred from participating in any offering of a penny stock, including: acting as a promoter, finder, consultant, agent or other person who engages in activities with a broker, dealer or issuer for purposes of the issuance or trading in any penny stock, or inducing or attempting to induce the purchase or sale of any penny stock.

Any reapplication for association by 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 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.

Vanessa A. Countryman
Acting Secretary