UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 86254 / July 1, 2019

INVESTMENT ADVISERS ACT OF 1940
Release No. 5264 / July 1, 2019

ADMINISTRATIVE PROCEEDING
File No. 3-19230

In the Matter of
LAVERNE C. MOTEK,
Respondent.

ORDER INSTITUTING
ADMINISTRATIVE PROCEEDINGS
PURSUANT TO SECTION 15(b) OF THE
SECURITIES EXCHANGE ACT OF 1934
AND 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 15(b) of the Securities Exchange Act of 1934 (“Exchange Act”) and Section 203(f) of the
Investment Advisers Act of 1940 (“Advisers Act”) against Laverne C. Moter (“Moter” 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
Section III.2 below, and consents to the entry of this Order Instituting Administrative Proceedings
Pursuant to Section 15(b) of the Securities Exchange Act of 1934 and 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. Within the period between May 2009 and October 2013, Moter was associated with a registered broker-dealer and investment adviser. Moter, age 51, is a resident of Sterling, Colorado.


3. According to his plea agreement and the indictment, the securities fraud counts to which Moter pleaded guilty were premised on his operation of a fraudulent scheme between May 2009 and December 2013, in which he misappropriated investor funds for his personal use rather than investing them in undeveloped real estate as represented to investors.

IV.

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

Accordingly, it is hereby ORDERED pursuant to Section 15(b)(6) of the Exchange Act, and Section 203(f) of the Advisers Act, that Respondent Moter be, and hereby is barred from association with any investment adviser, broker, dealer, municipal securities dealer, municipal advisor, transfer agent, or nationally recognized statistical rating organization; and

Pursuant to Section 15(b)(6) of the Exchange Act that Respondent Moter 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 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.

Vanessa A. Countryman
Secretary