

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 86677 / August 14, 2019

ADMINISTRATIVE PROCEEDING
File No. 3-18900

In the Matter of

ROBERT WILLIAM MYERS, JR.,

Respondent.

**ORDER MAKING FINDINGS AND
IMPOSING REMEDIAL SANCTIONS
PURSUANT TO SECTION 15(b) OF THE
SECURITIES EXCHANGE ACT OF 1934**

I.

On November 19, 2018, the Securities and Exchange Commission (“Commission”) issued an Order Instituting Administrative Proceedings Pursuant to Section 15(b) of the Securities Exchange Act of 1934 (“Exchange Act”) and Notice of Hearing against Robert William Myers, Jr. (“Respondent” or “Myers”).

II.

In connection with these proceedings, Respondent has submitted an Offer of Settlement (“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 in 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 paragraph III.2. below, which are admitted, Respondent consents to the entry of this Order Making Findings and Imposing Remedial Sanctions Pursuant to Section 15(b) of the Securities Exchange Act of 1934 (“Order”), as set forth below.

III.

On the basis of this Order and Respondent’s Offer, the Commission finds that:

1. Myers is 74 years old, and currently resides in Corinth, Texas. From 1974 to 1984, Myers was an executive and part owner of a couple of Commission-registered broker-dealers. Since 1984, Myers has not been registered as a securities broker or dealer, nor has he been associated with a registered securities broker or dealer. In 2004, Myers joined Mieka Energy Corporation, an oil-and-gas company, as a salesman and eventually became Mieka's Vice President of Project Development.

2. On May 4, 2017, a Memorandum Opinion and Order was entered against Myers in the civil action titled *Securities and Exchange Commission v. Mieka Energy Corporation, Vadda Energy Corporation, Daro Ray Blankenship, Robert William Myers, Jr., and Stephen Romo* [hereinafter *SEC v. Mieka*], Cause No. 4:15-cv-00300-ALM, in the United States District Court for the Eastern District of Texas, finding that Myers acted as an unregistered broker in the offer and sale of securities in the form of interests in the 2010 MIEKA PA WestM/MARCELLUS PROJECT II (the "2010-JV"), in violation of Section 15(a) of the Exchange Act. The court also held that the 2010-JV interests were securities. On August 6, 2018, a final judgment was entered against Myers, permanently enjoining him from future violations of Section 15(a) of the Exchange Act, in *SEC v. Mieka*.

3. The Commission's complaint alleged that Myers offered and sold investments for Mieka, specifically interests in the 2010-JV interests. The Commission's complaint also alleged that Myers used the telephone and the mails to actively solicit investors, sold the 2010-JV interests to numerous investors, gave advice to prospective investors about the merits of the offered investments, and received transaction-based compensation in the form of commissions (approximately 10% of the proceeds of each sale) from Mieka of \$121,466. The Commission further alleged that, at the time he offered and sold the 2010-JV interests for Mieka, Myers was not registered with the SEC as a broker-dealer and was not associated with a registered broker-dealer.

IV.

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

For the Commission, by its Secretary, pursuant to delegated authority.

Vanessa A. Countryman
Secretary