

**UNITED STATES OF AMERICA**  
**Before the**  
**SECURITIES AND EXCHANGE COMMISSION**

**SECURITIES EXCHANGE ACT OF 1934**  
**Release No. 87504 / November 12, 2019**

**ADMINISTRATIVE PROCEEDING**  
**File No. 3-19600**

**In the Matter of**

**SEBASTIAN PINTO-  
THOMAZ,**

**Respondent.**

**ORDER INSTITUTING  
ADMINISTRATIVE PROCEEDINGS  
PURSUANT TO SECTION 15E(d)(1) OF  
THE SECURITIES EXCHANGE ACT OF  
1934, MAKING FINDINGS, AND  
IMPOSING REMEDIAL SANCTIONS**

**I.**

The Securities and Exchange Commission (“Commission”) deems it appropriate, necessary for the protection of investors, and in the public interest that public administrative proceedings be, and hereby are, instituted pursuant to Section 15E(d)(1) of the Securities Exchange Act of 1934 (“Exchange Act”) against Sebastian Pinto-Thomaz (“Pinto-Thomaz” 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 paragraph III.2, and consents to the entry of this Order Instituting Administrative Proceedings Pursuant to Section 15E(d)(1) 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:

1. Pinto-Thomaz, age 34, during the relevant period resided in New York, New York and served as a credit ratings analyst at a nationally recognized statistical rating organization (the “NRSRO”) based in New York.

2. On April 26, 2019, in United States v. Pinto-Thomaz et al., Crim. No. 18-579 (S.D.N.Y.), Pinto-Thomaz was convicted of two counts of conspiracy to commit securities fraud, violating 18 U.S.C. § 371, and two counts of securities fraud, violating 15 U.S.C. §§ 78j(b). On August 1, 2019, a judgment in the criminal case was entered against Pinto-Thomaz. He was sentenced to a prison term of 14 months followed by three years of supervised release and an order of forfeiture/money judgment was entered against him in the amount of \$7,500.00.

3. The counts of the indictment on which Pinto-Thomaz was convicted alleged, inter alia, that, while employed by the NRSRO, Pinto-Thomaz misappropriated from his employer material nonpublic information about the impending acquisition of The Valspar Corporation by The Sherwin-Williams Company, and used that information to tip his friends so that they could purchase Valspar securities in advance of the announcement of the acquisition.

#### IV.

In view of the foregoing, the Commission deems it appropriate, necessary for the protection of investors, and in the public interest to impose the sanctions agreed to in Respondent Pinto-Thomaz's Offer.

Accordingly, it is hereby ORDERED pursuant to Section 15E(d)(1) of the Exchange Act that Respondent Pinto-Thomaz be, and hereby is, barred from association with any nationally recognized statistical rating organization.

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