

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 87884 / January 3, 2020

ACCOUNTING AND AUDITING ENFORCEMENT
Release No. 4111 / January 3, 2020

ADMINISTRATIVE PROCEEDING
File No. 3-19634

In the Matter of

Robert A. Karmann, CPA,

Respondent.

**ORDER INSTITUTING 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 Robert A. Karmann (“Respondent” or “Karmann”) pursuant to Rule 102(e)(3)(i) of the Commission’s Rules of Practice.¹

II.

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: (A) [p]ermanently 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; or (B) [f]ound by any court of competent jurisdiction in an action brought by the Commission to which he or she is a party . . . to have violated (unless the violation was found not to have been willful) or aided and abetted the violation of any provision of the Federal securities laws or of the rules and regulations thereunder.

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 below, and consents to the entry of this Order Instituting Public 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. Karmann, age 53, is and has been a certified public accountant licensed to practice in the State of California. He served as the chief financial officer of a private California corporation headquartered in Benicia, California from 2015 through 2018, and as the controller from 2014 to 2015.

2. On December 20, 2019, a judgment was entered by consent against Karmann, permanently enjoining him from future violations of Section 17(a) of the Securities Act of 1933 (“Securities Act”), and Section 10(b) of the Securities Exchange Act of 1934 (“Exchange Act”) and Rule 10b-5 thereunder, in the civil action entitled Securities and Exchange Commission v. Robert A. Karmann, Civil Action Number 2:19-cv-2531, in the United States District Court for the Eastern District of California.

3. The Commission’s complaint alleged, among other things, that Karmann engaged in a course of conduct designed to deceive investors in securities offered by certain solar energy companies in which, among other things, Karmann: (1) transferred or arranged for the transfer of funds among companies to deceive investors about the source of purported revenue; and (2) provided reports and financial statements that he knew contained materially false and misleading information to investors and prospective 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 Karmann’s Offer.

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

Robert A. Karmann is suspended from appearing or practicing before the Commission as an accountant.

By the Commission.

Vanessa A. Countryman
Secretary