UNITED STATES OF AMERICA

Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 89872 / September 15, 2020

ADMINISTRATIVE PROCEEDING
File No. 3-20001

In the Matter of

FREDERICK MINTZ,
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
Frederick Mintz (“Respondent” or “Mintz”) pursuant to Rule 102(e)(3)(i) of the Commission’s
Rules of Practice.¹

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, and without admitting or denying the findings
herein, except as to the Commission’s jurisdiction over him and the subject matter of these

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 attorney . . . 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.
proceedings, and the findings contained in Section III.2 below, which are admitted, Respondent consents to the entry of this Order Instituting 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. Mintz, age 84, resides in Rockville Center, NY. Mintz was a member of the New York State Bar. Mintz provided advice to individuals and entities regarding compliance with the federal securities laws. Mintz has never held any securities licenses and is not registered with the Commission in any capacity.

2. On June 27, 2019, the Commission filed a complaint against Mintz in SEC v. Sargent et al. (Civil Action No. 19-CV-11416-WGY), in the United States District Court for the District of Massachusetts. On September 14, 2020, the court entered an order permanently enjoining Mintz by consent, from future violations of Sections 5(a), 5(c) and 17(a) of the Securities Act of 1933, and Section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5 thereunder.

3. The Commission’s complaint alleged, among other things, that Mintz participated in a fraudulent and deceptive scheme to disguise public sales by corporate affiliates that should have been registered with the Commission. Specifically, Mintz provided opinion letters to corporate affiliates that they required in order to deposit their shares for sale with broker-dealers. The Complaint alleges that those opinion letters falsely claimed that the shares the affiliates acquired were “free trading” shares that could be sold to the public without restriction.

IV.

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

Accordingly, it is hereby ORDERED pursuant to Rule 102(e)(3)(i) of the Commission’s Rules of Practice, effective immediately, that:

Mintz is suspended from appearing or practicing before the Commission as an attorney.

By the Commission.

Vanessa A. Countryman
Secretary