

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

INVESTMENT ADVISERS ACT OF 1940
Release No. 5511 / May 27, 2020

ADMINISTRATIVE PROCEEDING
File No. 3-19813

In the Matter of

SYED ARHAM ARBAB,

Respondent.

ORDER INSTITUTING
ADMINISTRATIVE PROCEEDINGS
PURSUANT TO 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 203(f) of the Investment Advisers Act of 1940 (“Advisers Act”) against Syed Arham Arbab (“Arbab” 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 below, and consents to the entry of this Order Instituting Administrative Proceedings Pursuant to 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 Respondents' Offers, the Commission finds that:

1. Respondent has been an owner and controlling stakeholder in Artis Proficio Capital Management, LLC ("APCM") and Artis Proficio Capital Investments, LLC ("APCI") since their founding. Since at least May 2018, Respondent has, both directly and through APCM and APCI, offered and sold investments in a purported hedge fund. Respondent, age 23, is a resident of Martinez, GA.

2. On October 11, 2019, Respondent pled guilty to securities fraud in violation of Section 17 of the Securities Act of 1933, Title 15, United States Code, Sections 77q and 77x before the United States District Court for the Middle District of Georgia, in United States v. Syed Arham Arbab, Crim. Information No. 3:19-CR-00051-CAR-CHW.

3. In connection with that plea, Respondent admitted that:

- (a) Between May 2018 and May 2019, Respondent solicited investors;
- (b) Respondent ultimately convinced no fewer than 117 investors to give him at least \$1 million dollars, ostensibly for investment in a hedge fund;
- (c) Defendant made materially false statements and representations to investors when soliciting investments; and
- (d) Defendant spent investor funds on personal expenses and also paid earlier investors purported "returns" using funds received from later 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's Offer.

Accordingly, it is hereby ORDERED, pursuant to Section 203(f) of the Advisers 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.

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