

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 95421 / August 4, 2022

ADMINISTRATIVE PROCEEDING
File No. 3–20947

In the Matter of

KEVIN GILLESPIE,

Respondent.

ORDER INSTITUTING
ADMINISTRATIVE PROCEEDINGS
PURSUANT TO SECTION 15(b) OF THE
SECURITIES EXCHANGE ACT OF 1934,
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 15(b) of the Securities Exchange Act of 1934 (“Exchange Act”) against Kevin Gillespie (“Gillespie” 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 Sections III.2 and III.4 below, and consents to the entry of this Order Instituting Administrative Proceedings Pursuant to Section 15(b) 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. Gillespie was the chief executive officer of Arias Intel Corp. (f/k/a first Harvest Corp.) (“ASNT”), an issuer with common stock registered pursuant to Section 12(g) of the Exchange Act that was subject to Exchange Act reporting obligations pursuant to Section 13(a). From April 1994 to April 2001, October 2001 to September 2002, and January 2006 to July 2018, Gillespie was also a registered representative associated with broker-dealers registered with the Commission. Gillespie, 50 years old, is a resident of Tampa, Florida.

Respondent participated in an offering of ASNT’s stock, which is a penny stock.

2. On July 11, 2022, a final judgment was entered by consent against Respondent, permanently enjoining him from future violations of Section 10(b) of the Exchange Act and Rule 10b-5 thereunder in the civil action entitled Securities and Exchange Commission v. Gannon Giguere et al., Civil Action Number 18 Civ. 1530, in the United States District Court for the Southern District of California.

3. The Commission’s Complaint alleged that, between in or about February 2017 and December 2017, Gillespie participated in a scheme to defraud investors in ASNT’s common stock. Among other things, Gillespie caused ASNT to issue hundreds of thousands of unregistered shares of its common stock to other scheme participants who planned to sell the stock during an undisclosed promotional campaign.

4. On January 17, 2019, Respondent pleaded guilty to one count of conspiracy to commit securities fraud in violation of 18 U.S.C. § 371, before the United States District Court for the Southern District of California, in United States v. Andrew Hackett et al., Crim. Indictment No. 18-3072.

5. The count of the indictment to which Respondent pleaded guilty alleged, inter alia, that Gillespie conspired with four individuals to commit securities fraud by, inter alia, arranging for the transfer of significant blocks of ASNT stock to a co-conspirator’s brokerage accounts, making misrepresentations to ASNT’s transfer agent, and planning to cause ASNT to issue press releases for the purpose of artificially inflating ASNT’s stock’s share price.

IV.

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

Accordingly, it is hereby ORDERED pursuant to Section 15(b)(6) of the Exchange Act, that Respondent Gillespie 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 Gillespie 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, compliance with the Commission's order and payment of any or all of the following: (a) any disgorgement or civil penalties ordered by a Court against the Respondent in any action brought by the Commission; (b) any disgorgement amounts ordered against the Respondent for which the Commission waived payment; (c) any arbitration award related to the conduct that served as the basis for the Commission order; (d) 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 (e) 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 Countryman
Secretary