

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

**SECURITIES EXCHANGE ACT OF 1934
Release No. 52246 / August 12, 2005**

**ADMINISTRATIVE PROCEEDING
File No. 3-12009**

In the Matter of	:	
F. THOMAS ECK, III,	:	ORDER OF SUSPENSION PURSUANT TO RULE 102(e)(2) OF THE COMMISSION'S RULES OF PRACTICE
Respondent.	:	
	:	
	:	

I.

The Securities and Exchange Commission (“Commission”) deems it appropriate to issue an order of forthwith suspension of F. Thomas Eck, III (“Respondent” or “Eck”) pursuant to Rule 102(e)(2) of the Commission’s Rules of Practice [17 C.F.R. § 200.102(e)(2)].¹

II.

The Commission finds that:

1. Eck, approximately 57, and formerly of Napa, California, is now incarcerated at the Taft Correctional Institution, in Taft, California. Eck was an attorney licensed to practice law in the States of California and Nevada until June 2000, when he resigned as a member of each bar based on his conviction for federal criminal wire fraud in the Eastern District of Kentucky.

2. On July 9, 2004, a judgment was entered in the criminal case, United States v. F. Thomas Eck, III, Case No. CR-01-0325 VRW, in the United States District Court for the Northern District of California. The judgment adjudicated Eck guilty of two counts of securities fraud and aiding and abetting in violation of 15 U.S.C. §§ 78j(b) and 78ff, and 18 U.S.C. § 2, based on Eck’s prior plea agreement dated September 16, 2003. Eck was sentenced to a prison term of 70 months

¹ Rule 102(e)(2) provides in pertinent part: “Any attorney who has been suspended or disbarred by a court of the United States or of any State; . . . or any person who has been convicted of a felony or a misdemeanor involving moral turpitude shall be forthwith suspended from appearing or practicing before the Commission.”

followed by three years of supervised release and ordered to forfeit his interest in \$15.4 million of property to the United States, which included but was not limited to defendant's interest in real property located in Sonoma County and Marin County, California.

3. On July 27, 1999, a judgment was entered against Eck in the criminal case, United States v. Thomas Eck, Case No. CR-98-0092-2, in the United States District Court for the Eastern District of Kentucky. The judgment was based upon a jury verdict of guilty against Eck, returned on March 24, 1999, for conspiring to engage in wire fraud, in violation of 18 U.S.C. § 371, and committing wire fraud, in violation of 18 U.S.C. § 1343. Eck was sentenced to a year and a day in prison, and three years of supervised release, and was ordered to pay restitution.

III.

In view of the foregoing, the Commission finds that Eck has been convicted of a felony within the meaning of Rule 102(e)(2) of the Commission's Rules of Practice.

Accordingly, IT IS ORDERED that F. Thomas Eck, III is forthwith suspended from appearing or practicing before the Commission pursuant to Rule 102(e)(2) of the Commission's Rules of Practice.

By the Commission.

Jonathan G. Katz
Secretary