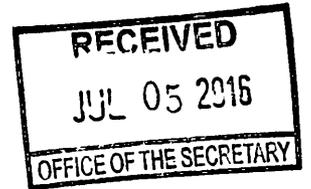


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ADMINISTRATIVE PROCEEDING
FILE NO. 3-17218

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION



In the Matter of

Daniel Christian Stanley Powell,

Respondent.

Judge James E. Grimes

**DIVISION OF ENFORCEMENT'S
MOTION FOR SUMMARY DISPOSITION OR,
IN THE ALTERNATIVE, FOR SANCTIONS AGAINST
RESPONDENT DANIEL CHRISTIAN STANLEY POWELL**

July 1, 2016

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I. INTRODUCTION

The Division of Enforcement (“Division”) moves, pursuant to Rule 250(a) of the Commission’s Rules of Practice, 17 C.F.R. § 201.250(a), for summary disposition in this follow-on proceeding brought pursuant to Section 15(b) of the Securities Exchange Act of 1934 (“Exchange Act”), 15 U.S.C. § 78o(b), against respondent Daniel Christian Stanley Powell (“Powell”). Pursuant to the Court’s Order to Show Cause entered on June 29, 2016, the Division requests that, if Powell is found in default, the present motion should be construed as a motion for sanctions. In either circumstance, the Division respectfully requests that the Court impose full collateral and penny stock bars against Powell.¹

II. FACTUAL BACKGROUND

A. Procedural Background And The Permanent Injunction Against Powell

The permanent injunction upon which this administrative proceeding is based arises from the complaint in the underlying injunctive action. In August 2011, the Securities and Exchange Commission (“Commission”) brought an emergency action against Powell and Christian Stanley, Inc. (“Christian Stanley”), which Powell controlled, to halt an ongoing fraud. The complaint alleged that from at least March 2009 through August 2011, Powell, through Christian Stanley, conducted an offering fraud and Ponzi scheme, in violation of the antifraud and securities registration provisions of the federal securities laws. (Declaration of David J. Van Havermaat “Van Havermaat Decl.”, ¶ 2, Ex. 1. (Complaint)). The complaint alleged that Powell, through his entities, offered and sold more than \$4.5 million in securities in the form of debentures that promised to pay annual returns ranging from 5% to 15% annually, to about 50 investors nationwide. (*Id.*) Contrary to Powell’s representations to investors that investments

¹ As described below, both Powell’s conduct and his association with a registered broker-dealer continued past the July 21, 2010 date that the Dodd-Frank Act amendments became effective. The Division therefore requests that the relief ordered against Powell include bars from associating with a municipal advisor or nationally recognized statistical rating organization.

with him and his entities would be safe and that investor monies would be used to invest in life settlements, coal leases, and interests in gold mines, Powell used only a small fraction of investor funds for the stated purposes, instead using the majority of investor funds for the payment of undisclosed commissions to sales agents, to fund Powell's lavish lifestyle, and for the perpetuation of a Ponzi scheme in which interest due on the debentures was paid with new investor principal. (*Id.*) The district court entered emergency relief, and Powell subsequently answered the complaint. The action was stayed pending the resolution of a parallel criminal action that was filed against Powell in February 2013. (*Id.*, Ex. 2 (First Superseding Indictment)).

In the criminal action, Powell was indicted on ten counts of mail and wire fraud based on the same conduct as alleged in the Commission's complaint. (*Id.*, Ex. 2.) Powell also was indicted on three counts of obstruction of justice for persuading victims of his fraud to submit affidavits that falsely characterized Powell's representations to them. (*Id.*, Ex. 2 at pp. 7-12.) Powell convinced at least three investors to execute affidavits that contained materially false and misleading statements by representing to the investors that the affidavit would help Powell prevail in the Commission's civil action and enable Powell to refund the investor's investment with Powell's entities. (*Id.*) The criminal case was tried before a jury in October and November 2014, and Powell was convicted on all counts on November 10, 2014. (*Id.*, ¶ 4, Ex. 3 (Special Verdict Form)). To convict him, the jury in Powell's criminal case was required to find that Powell acted with "the intent to defraud; that is, the intent to deceive or cheat." (*Id.*, Ex. 16 (Jury Instructions), at pp. 34:13-14, 35:13-14). The jury further was required to find that Powell "knowingly" participated in a scheme or plan to defraud or a scheme or plan for obtaining money or property by false or fraudulent pretenses. (*Id.*, pp. 34:6-8, 35:6-8). In June 2015, Powell was sentenced to 121 months in prison and ordered to pay restitution of more than \$4.4 million. (*Id.*, ¶ 5, Ex. 4 (Judgment)).

After the stay was lifted, the Commission filed a motion for summary judgment in the civil action against Powell. In light of Powell's criminal restitution order and imprisonment for

the same conduct as was alleged in the civil complaint, the Commission determined not to seek disgorgement or a civil penalty against Powell. The district court granted the Commission's motion in February 2016 and entered an order permanently enjoining Powell from future violations of Sections 5 and 17(a) of the Securities Act of 1933 ("Securities Act") and Section 10(b) of the Exchange Act and Rule 10b-5 thereunder. (*Id.*, ¶¶ 6, 7, Exs. 5, 6. (Minute Order; Final Judgment)).

B. Powell Violated The Federal Securities Laws

1. The respondent

Daniel Christian Stanley Powell, age 34, is formerly a resident of Los Angeles, California, currently incarcerated in Taft, California. (Van Havermaat Decl., Ex. 7 (Powell testimony, day 1) at page 19, lines 6-7, Ex. 8 (Powell testimony, day 2) at pp. 24:25-25:2, Ex. 9). Powell was the founder, chairman, and chief executive officer of Christian Stanley, through which Powell conducted his fraudulent offering, and the sole managing member of Christian Stanley, LLC, and the founder and sole owner of Daniel Christian Stanley Powell Realty Holdings, Inc., which received investor funds. (*Id.*, Ex. 7 at pp. 16:24-25, 17:1-5, 42:13-15, Ex. 8 at pp. 41:20-24, 50:20-51:5). Powell was a registered representative most recently with Tradespot Markets, Inc. until September 2010 and held Series 3, 7, and 63 licenses. (*Id.*, Ex. 8 at pp. 31:25-32:11, 32:23-33:2, 38:22-39:10, Ex. 10 (Powell Forms U4 and U5)).

2. Powell's fraudulent scheme

From 2009 through at least July 2011, Christian Stanley raised at least \$4.5 million through the offer and sale of senior secured corporate debenture indentures to about 50 purchasers. (Van Havermaat Decl., Ex. 1 at ¶ 10, Ex. 11 (Declaration of Peter F. Del Greco) at ¶ 10 and Ex. 5 thereto)). Although the terms of the debentures varied from purchaser to purchaser, they typically were for a term of five years and purported to pay interest at a rate of 5% to 15.5% per year, with interest payments scheduled on a monthly or annual basis or, most often, at the termination of the note, per the purchaser's election. (*Id.*, Ex. 1 at ¶ 10, Ex. 11 (Del Greco Decl. at ¶¶ 21 and 22); Ex. 12 (Declaration of James A. Lawrence and Ex. 2 thereto); Ex. 13

(Declaration of Anne Kirkpatrick and Ex. 1 thereto); Ex. 14 (Wong Debenture); Ex. 15 (Sime Debenture)).

The debenture agreements, which Powell wrote and signed in his capacity as CEO of Christian Stanley, expressly provided that investor proceeds would be used to acquire, and would be secured and collateralized by, the acquisition of one or more of three types of assets: (1) so-called “reverse life insurance” policies, *i.e.*, life settlements; (2) bituminous coal leases in Kentucky, purportedly valued at more than \$11.8 billion; and (3) a purportedly vested interest in certain gold mining reserve claims in Nevada. (*Id.*, Ex. 1 at ¶ 11, Ex. 8, at pp. 158:15-159:21, 174:10-19, 259:25-261:4, Exs. 12, 13, 14, 15). Most debenture agreements also provided that Christian Stanley could use investor monies for “general corporate purposes.” (*Id.*, Ex. 1 at ¶ 11, Ex. 12 (Declaration of James A. Lawrence and Ex. 2 thereto)). Powell emphasized to prospective investors that investments with his entities were safe. (*Id.*, Ex. 12, at ¶ 4, Ex. 13 at ¶ 3).

Powell hired telemarketers, which he characterized as “independent consultants,” to solicit the purchase of debentures. (*Id.*, Ex. 1 at ¶¶ 12, 13, Ex. 8 at pp. 115:20-123:4). Powell also directly solicited investors. (*Id.*, Ex. 1 at ¶¶ 14, 15, Ex. 8 at pp. 123:10-124:4; Ex. 12, Lawrence Decl. at ¶ 4). One investor, who first learned about Christian Stanley on a radio program that Powell sponsored, subsequently met with a representative of Christian Stanley at his home, who in turn referred him to Powell for more detailed answers to his questions. (*Id.* at Ex. 12, Lawrence Decl. at ¶¶ 2-4). Powell told him that the risk to a “reverse life insurance” investment with Christian Stanley was very low, and that his company could offer investors a 12% return because the policies the company purchases returned, or exceeded that return, on average. (*Id.* at ¶ 4). Powell further represented that Christian Stanley purchased life insurance policies from individuals that were issued by highly-rated companies, and that Christian Stanley investigated the medical histories of the individuals who were insured. (*Id.*). This particular investor, who rolled over \$120,000 from his 401K retirement account to invest with Christian

Stanley, was issued a debenture that purported to pay a 12.5% annual interest rate. (*Id.* at ¶¶ 7-8).

All investor monies were deposited into and disbursed from bank accounts that were maintained in the name of Christian Stanley, LLC, but which functioned as the accounts of Christian Stanley, Inc. and Powell's other entities. (*Id.*, Ex. 1 at ¶ 16, Ex. 11 (Del Greco Decl. at ¶ 4 and Exs. 2-5 thereto). Powell was the sole person with signature authority on the accounts. (*Id.*, Ex. 1 at ¶ 16, Ex. 8 at pp. 192:18-193:17). The majority of debenture purchaser monies were transferred via Sunwest Trust, an IRA custodian, reflecting the fact that most of the debenture purchasers used retirement funds to invest with Powell. (*Id.*, Ex. 1 at ¶ 16, Ex. 11 (Del Greco Dec., ¶ 9 and Ex. 5 thereto); Ex. 8 at pp. 268:24-269:5).

3. Powell misappropriated investor funds

Powell used substantial amounts of investor monies to maintain the appearance of conducting genuine business activity and to fund Powell's lavish personal lifestyle. The entities he controlled used less than \$90,000 for the avowed business purposes described in the debenture agreements. (Van Havermaat Decl., Ex. 1 at ¶ 18, Ex. 11 (Del Greco Decl. at ¶ 10(d); Ex. 8 at pp. 260:14-264:24).

In all, Powell put no more than 2% of investor monies toward the purposes that were represented to investors. (*Id.*, Ex. 1 at ¶ 21). Powell's use of the remaining monies raised through the sale of debentures had no relation to either the specific purposes listed in the debenture agreements or to any other general business purpose. On the contrary, more than \$2.4 million of investor funds, representing over 55% of the amount raised, was spent as follows:

- More than \$785,000 paid to salespeople for soliciting investors. (*Id.* at Ex. 11 (Del Greco Decl., ¶ 10(c).)
- More than \$371,000 spent on offering expenses related to the debentures, including the purchase of print and radio ads, and lead lists. (*Id.*, ¶ 10(j).)

- More than \$290,000 in debit card transactions, most of which were related to Powell's daily living expenses, including gas, groceries, pharmaceuticals, dry cleaning, and retail goods. (*Id.*, ¶ 10(k).)
- Cash withdrawals and checks payable to Powell or to cash totaling more than \$237,000. (*Id.*, ¶ 10(b).)
- More than \$212,000 spent on cars, including a Porsche, a Ferrari, a BMW, and a Dodge Ram. (*Id.*, ¶ 10(a).)
- More than \$160,000 towards Powell's extravagant lifestyle, including almost \$90,000 for hotels, more than \$49,000 for nightclubs, more than \$17,000 for restaurants, and more than \$4,800 for limousines. (*Id.*, ¶ 10 (i).)
- More than \$100,000 in rent paid on behalf of a woman that he described as "like a mother" to him and another woman with no apparent connection to Christian Stanley. (*Id.*, ¶ 10(p).)
- Charitable donations totaling \$91,000. (*Id.* ¶ 10(e).)
- \$27,500 paid to Powell's father and brother. (*Id.*, ¶ 10(g).)
- More than \$21,000 to satisfy Powell's school loans. (*Id.*, ¶ 10(l).)
- Miscellaneous luxury purchases, including \$8,700 for jewelry, almost \$5,000 to register for a dating service, over \$5,000 for cowboy boots, and more than \$1,300 for designer sunglasses. (*Id.*, ¶ 10(k), (l).)

4. Powell operated a Ponzi scheme

The debentures purported to pay investors interest at a rate of 5% to 15.5% per year. (*Id.*, Exs. 12-15). Although most investors elected to have these payments compound and be paid at the end of a five-year term, Christian Stanley paid returns on investment of more than \$93,000 to some of its investors. (*Id.*, Ex. 1 at ¶ 23, Ex. 11 (Del Greco Decl. at ¶ 10(r)). Christian Stanley did not generate revenues from its activities sufficient to make those payments. (*Id.*, Ex. 1 at ¶ 23, Ex. 8 at pp. 104:17-105:17). The source of the interest payments were what Powell characterized as "the debt pool" -- i.e., monies realized from the sale of debentures. In other

words, they were financed with investor principal. (*Id.*, Ex. 8 at pp. 104:17-105:17). Powell did not disclose to debenture purchasers that their monies would be used in this manner, or that, since the company generated no revenue, the returns his entities were obligated to pay existing investors could only be made by finding other willing investors. (*Id.* at Ex. 12 (Lawrence Decl. at ¶¶ 4-9), Ex. 13 (Kirkpatrick Decl. at ¶¶ 3-6).

III. ARGUMENT

Section 15(b) of the Exchange Act authorizes sanctions against Powell, and the factual record in this proceeding shows that it is appropriate and in the public interest to impose sanctions against him. Because Powell is in default, the Court may deem the allegations of the OIP to be true. Rule of Practice 155(a), 17 C.F.R. § 201.155(a). These allegations, together with the uncontested evidence submitted in support of this motion (which consists, in large part, of Powell’s testimony under oath), establish that Powell’s misconduct was egregious, and that the other factors support barring Powell from the securities industry. Accordingly, the Division respectfully requests that the Court impose full collateral and penny stock bars against Powell.

A. The Factual Record Authorizes The Imposition Of Sanctions Against Powell

Section 15(b) of the Exchange Act provides, in relevant part:

“With respect to any person who is associated, who is seeking to become associated, or, at the time of the alleged misconduct, who was associated or was seeking to become associated with a broker or dealer, ...the Commission, by order, shall censure, place limitations on the activities or functions of such person, or suspend for a period not exceeding 12 months, or bar any such person from being associated with a broker, dealer, investment adviser, municipal securities dealer, municipal advisor, transfer agent, or nationally recognized statistical rating organization, or from participating in an offering of penny stock, if the Commission finds, on the record after notice and opportunity for a hearing, that such censure, placing of limitations, suspension, or bar is in the public interest and that such person. . . is enjoined from any action, conduct, or practice specified in [Section 15(b)(4)(C)].”

Conduct specified in Section 15(b)(4)(C), in turn, includes being enjoined from engaging in or continuing any conduct or practice in connection with the purchase or sale of any security.

15 U.S.C. § 78o(a)(4).

Thus, to prevail in this proceeding, the Division must establish that: (1) Powell has been enjoined from any conduct or practice in connection with the purchase or sale of any security; (2) Powell, at the time of the alleged misconduct, was associated or seeking to become associated with a broker or dealer; and (3) it is in the public interest to impose the sanctions sought by the Division, namely collateral and penny stock bars, against Powell.

As set forth below, Powell has been permanently enjoined from violating the antifraud provisions of Section 10(b) of the Exchange Act, 15 U.S.C. § 78j(b), and Rule 10b-5 thereunder, 17 C.F.R. § 240.10b-5. In addition, his misconduct was committed while he was associated with a broker-dealer registered with the Commission. Finally, Powell's degree of scienter, the egregiousness of his violations, and other relevant factors establish that it is in the public interest to impose a broad associational bar and a penny stock bar against him. Because there is no genuine issue as to any of these facts, the Court should grant the Division's motion. *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 247-48 (1986).

1. Powell has been permanently enjoined from violating the antifraud provisions of Section 10(b) of the Exchange Act and Rule 10b-5 thereunder

On August 30, 2011, the Commission filed a civil injunctive action in the Central District of California alleging that Powell violated Sections 5(a), 5(c), and 17(a) of the Securities Act, and Section 10(b) of the Exchange Act and Rule 10b-5 thereunder. (Van Havermaat Decl., Ex. 1). The Commission's Complaint alleged that Powell offered and sold more than \$4.5 million in securities in the form of debentures to about 50 investors nationwide from March 2009 through August 2011. (*Id.*) Contrary to Powell's representations that investor monies would be used to invest in life settlements, coal leases, and interests in gold mines, Powell used only a small fraction of investor funds for the stated purposes, instead using the majority of investor funds for the payment of undisclosed sales agent commissions, to fund Powell's lavish lifestyle, and for the perpetuation of a Ponzi scheme in which payments to existing investors were made with new investor principal. (*Id.*) The District Court granted the Commission's motion for summary judgment and entered a Final Judgment that, among other things, permanently enjoins Powell

from future violations of Section 10(b) of the Exchange Act and Rule 10b-5 thereunder, which encompasses fraud in connection with the purchase or sale of a security. (*Id.*, Ex. 6.)

2. **Powell was associated with a broker-dealer during the time he perpetrated his fraud**

Rule 3(a)(18) under the Exchange Act provides that “person associated with a broker or dealer” is defined to include “any employee” of such broker or dealer. 15 U.S.C. § 78c(a)(18). During part of the time that Powell engaged in his fraud (specifically from March to September 2010), Powell was employed by Tradespot Markets, Inc., a broker-dealer registered with the Commission.² (Van Havermaat Decl., Ex. 10.)

B. It Is In The Public Interest To Issue Full Collateral And Penny Stock Bars Against Powell

Powell’s conduct and scienter establish that it is in the public interest to permanently bar him from association with any broker, dealer, investment adviser, municipal securities dealer, municipal advisor, transfer agent, or nationally recognized statistical rating organization, and from participating from any offering of penny stock. *See Steadman v. SEC*, 603 F.2d 1126, 1140 (5th Cir. 1979), *aff’d on other grounds*, 450 U.S. 91 (1981) (listing public interest factors for permanent bar).

This proceeding was instituted pursuant to Section 15(b) of the Exchange Act, which grants the Commission the power to limit the activities of a person in the interest of the public.

² The OIP mistakenly alleged the dates that Powell was a registered representative associated with Tradespot Markets, Inc. (“Tradespot”) as being from May through September 2009. OIP, ¶ II.A.1. The Division staff subsequently learned that Powell actually was a registered representative associated with Tradespot from March through September 2010. The Division staff informed Powell telephonically of this error and of the correct dates on at least two occasions, including during the telephonic prehearing conference on May 26, 2016. *See* Order Following Prehearing Conference entered on May 27, 2016.

The Commission typically considers the following factors in determining the appropriate sanction in the public interest:

the egregiousness of the [respondent's] actions, the isolated or recurrent nature of the infraction, the degree of scienter involved, the sincerity of the [respondent's] assurances against future violations, the [respondent's] recognition of the wrongful nature of his conduct, and the likelihood that the [respondent's] occupation will present opportunities for future violations.

Steadman, 603 F.2d at 1140. The deterrent effect of administrative sanctions is also a relevant factor. *In the Matter of Schield Management Co.*, Exchange Act Rel. No. 53021, 2006 SEC Lexis 195, at *35 (Jan. 31, 2006). The inquiry “into the appropriate sanction to protect the public interest is a flexible one, and no one factor is dispositive.” *In re Conrad P. Seghers*, Advisers Act Release No. 2656, 2007 SEC Lexis 2238, at *13 (Sept. 26, 2007), *aff'd*, 548 F.3d 129 (D.C. Cir. 2008). The Court may use the entire record to determine what sanction is in the public interest, and “conduct that violates the antifraud provisions of the federal securities laws is especially serious and subject to the severest of sanctions.” *See In the Matter of Marshall E. Melton*, Advisers Act Release No. 2151, 2003 WL 21729839, at *9 (July 25, 2003). As set forth below, the *Steadman* factors favor the issuance of full collateral and penny stock bars against Powell.

Powell's fraudulent conduct was egregious. Powell raised more than \$4.5 million from investors by falsely representing to them that their funds would be used to invest in life settlements, coal leases, and interests in gold mines, and that their investments with him were safe. Powell instead used the investor funds, much of which was sent to Powell's entities from investors' retirement accounts, to fund his lavish lifestyle. He used investor funds to pay for such outlandish expenses as exotic cars, exorbitant trips to nightclubs and restaurants, and jewelry, along with Powell's daily living expenses. Powell used some of the investor funds to make Ponzi scheme payments, and he used additional investor funds to hire telemarketers to find new investors to perpetuate his scheme. The egregiousness of Powell's conduct is unquestioned. *See, e.g., In the Matter of Wayne L. Palmer*, Initial Decisions Rel. No. 1025, 2016 SEC Lexis 2089, at *15 (June 13, 2016) (egregiousness of respondent's conduct evidenced by the fact that

respondent lied to investors “about facts that were unquestionably material to their decisions to invest – the safety of their investment and what [respondent] planned to do with their money”).

Powell’s conduct was recurrent, not isolated. Powell defrauded approximately 50 investors over a period of more than three years. *See, e.g., In the Matter of Stephen L. Kirkland*, Initial Decisions Rel. No. 875, 2015 SEC Lexis 3583, at *17 (Sept. 2, 2015) (false statements that were made to at least ten investors over a two-year period found to be recurrent and not isolated). In fact, Powell’s misconduct continued even after the Commission filed its action and obtained emergency relief against him. In early 2012, Powell convinced at least three investors to execute affidavits that contained materially false and misleading statements by representing to the investors that the affidavits would help Powell prevail in the Commission’s civil action and enable Powell to refund the investor’s monies.

Powell’s actions evince a high degree of scienter. He stole investor’s funds and repeatedly lied to investors about the safety of their investments. Indeed, the jury in Powell’s criminal case found that Powell acted with “the intent to defraud; that is, the intent to deceive or cheat.” The jury further found that Powell “knowingly” participated in a scheme or plan to defraud. Powell’s repugnant conduct, including his efforts to convince investors to file false affidavits on his behalf, leave no doubt that he acted with a high level of scienter.

Powell’s unwillingness to accept the wrongful nature of the conduct and his failure to give any assurances against future misconduct also support barring Powell from the securities industry. Powell has failed to answer or otherwise respond to the OIP, and he refuses to acknowledge his wrongdoing. At no time has Powell indicated any remorse for his actions, nor has he offered any assurances that he will not engage in future violations. To the contrary, Powell’s “failure to recognize the wrongfulness of his conduct presents a significant risk that, given th[e] opportunity, he would commit further misconduct in the future.” *In the Matter of Michael J. Markowski*, Exchange Release No. 34-44086, 2001 SEC Lexis 502, at *17 (Mar. 20, 2001); *see also In the Matter of Herbert Steven Fouke*, Initial Decisions Rel. No. 3095, at *19 (Aug. 29, 2014) (bar imposed against respondent who failed to appear in follow-on administrative proceeding and

therefore failed to offer any assurances against future violations or to acknowledge wrongfulness of his conduct). Powell's relatively young age of 34 presents substantial opportunities for Powell to violate the federal securities laws in the future unless he is barred.

The full range of collateral bars should be imposed to protect the investing public from the continuing threat Powell poses. The Division requests that Powell, who was associated with a broker-dealer at the time he engaged in his fraud, be barred from association with any broker, dealer, investment adviser, municipal securities dealer, municipal advisor, transfer agent, or nationally recognized statistical rating organization, as well as from participating in an offering of penny stock.

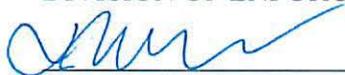
IV. CONCLUSION

The Supreme Court has explained that "[t]he primary objective of the federal securities laws [is the] protection of the investing public and the national economy through the promotion of a 'high standard of business ethics . . . in every facet of the securities industry.'" *Bateman Eichler, Hill Richards, Inc. v. Berner*, 472 U.S. 299, 315 (1985). Powell willfully violated the antifraud provisions of the federal securities laws and has been permanently enjoined from violating those provisions. His conduct readily establishes that the *Steadman* factors warrant severe sanctions. The Division's motion should be granted, and the requested bars should be ordered against Powell.

Dated: July 1, 2016

Respectfully submitted,

DIVISION OF ENFORCEMENT



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In the Matter of Daniel Christian Stanley Powell
Administrative Proceeding File No. 3-17218
Service List

Pursuant to Commission Rule of Practice 151 (17 C.F.R. § 201.151), I certify that the attached:

**DIVISION OF ENFORCEMENT'S MOTION FOR SUMMARY DISPOSITION OR, IN
THE ALTERNATIVE, FOR SANCTIONS AGAINST RESPONDENT DANIEL
CHRISTIAN STANLEY POWELL**

was filed with the Office of the Secretary of the Commission and served by email, U.S. Mail and UPS Overnight Mail on July 1, 2016, upon the following parties as follows:

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Dated: July 1, 2016



David J. Van Havermaat