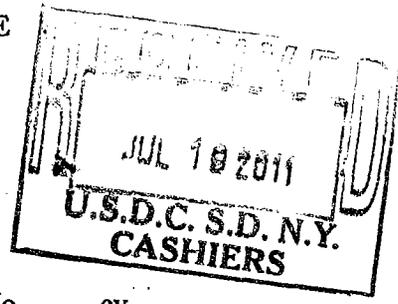


JUDGE SCHEINDLIN

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UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK



SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

ROBERT DOYLE,

Defendant.

Civil Action No. -cv-

COMPLAINT

The United States Securities and Exchange Commission ("Commission") files this Complaint against Robert Doyle ("Defendant" or "Doyle"), and would respectfully show the Court as follows:

SUMMARY

1. This case involves insider trading by Robert Doyle in the securities of Brink's Home Security ("Brink's"). Doyle obtained material, non-public information regarding Tyco International, Inc.'s ("Tyco") impending buyout of Brink's in advance of the January 18, 2010 announcement of the transaction. Doyle learned from an employee of Tyco's investment bank (the "Banker") that the Banker was flying on a Tyco corporate jet to Boca Raton, Florida (headquarters of Tyco's home security subsidiary, ADT). Doyle later discovered a draft presentation to Tyco's management about the proposed Brink's acquisition inadvertently left at his home by the Banker. The draft presentation identified Tyco as the "Acquirer" and Brink's as the "Target." While in possession of this information, Doyle traded in Brink's securities, earning total profits of \$88,555.

2. Doyle breached his duty of trust and confidence to the Banker. The Banker, in turn, learned the material, nonpublic information about the impending Tyco-Brink's transaction as an employee of the investment bank and owed the investment bank and its client, Tyco, a duty of trust and confidence. Despite knowing that the Banker could not, and did not, share material nonpublic information with him, Doyle misappropriated such information from the Banker and used it to trade securities for his personal benefit. Defendant has violated Section 10(b) of the Securities Exchange Act of 1934, ("Exchange Act") [15 U.S.C. §78j(b)] and Rule 10b-5 thereunder [17 C.F.R. §240.10b-5]. The Commission, in the interest of protecting the public from any further violations of the federal securities laws, brings this action against Defendant seeking permanent injunctive relief, disgorgement of illicit profits with accrued prejudgment interest, and civil monetary penalties.

JURISDICTION

3. The Commission brings this action pursuant to the authority conferred upon it by Section 21(d) of the Exchange Act [15 U.S.C. §78u(d)]. The Commission seeks the imposition of civil penalties pursuant to Section 21A of the Exchange Act [15 U.S.C. § 78u-1].

4. The Court has jurisdiction over this action pursuant to Sections 21(d), 21(e), 21A and 27 of the Exchange Act [15 U.S.C. §§ 78u(d), 77u(e), 78u-1 and 78aa].

5. Defendant, directly and indirectly, made use of the mails and of the means and instrumentalities of interstate commerce, the mails, or the facilities of a national securities exchange in connection with the acts, practices and courses of business described in this Complaint.

6. Venue is proper because transactions, acts, practices and courses of business described below occurred within the jurisdiction of the Southern District of New York.

INTRADISTRICT ASSIGNMENT

7. This action arises in the New York Division of this Court because a substantial part of the events which give rise to the claim occurred within New York County.

DEFENDANT

8. Robert Doyle, age 64, resides in Northport, Michigan.

STATEMENT OF FACTS

9. In August 2009, Tyco's investment bank gathered information about Brink's in advance of a proposed merger transaction. To that end, on or about August 19, 2009, the Banker flew to Boca Raton, Florida (ADT's headquarters) to meet with ADT employees in order to prepare a presentation to Tyco's management. The Banker mentioned to Doyle that he was flying to Boca Raton on Tyco's corporate jet, but did not tell Doyle why he was traveling to Florida. Doyle knew that the Banker often worked on potential mergers involving public companies, through which the Banker learned material, non-public information.

10. After his Boca Raton trip, the Banker visited Doyle's home in Michigan from August 23 to August 27, 2009. While there, the Banker worked on a presentation to Tyco's management about the proposal to purchase Brink's. The presentation clearly identified Tyco as "Acquirer" and Brink's as "Target."

11. The Banker inadvertently left a copy of the presentation at Doyle's home. Doyle discovered it in or around December 2009. On January 13, 2010, during phone conversations with the Banker, Doyle gleaned from changes in the Banker's travel schedule that the transaction was imminent.

12. On January 14 and 15, 2010, acting upon the material, nonpublic information he possessed, Doyle purchased a variety of Brink's securities: 100 February 35 call options; 30 June 30 call options; and 250 Brink's shares at \$31.39 per share.

13. A "call option" is a securities transaction that gives the purchaser the right to buy 100 shares of an underlying security at a specified price up to a specified expiration date. A call option gives the purchaser the right to "call in" or buy stock, and profit is made on a call option when the underlying stock price increases above the strike price by the expiration date. The expiration date for all listed options in the United States is the third Friday of the expiration month (except when it falls on a holiday, in which case it is on Thursday).

14. Defendant's purchases of Brink's securities breached a legitimate expectation of confidentiality held by the Banker.

15. On January 18, 2010, Tyco announced that it would acquire Brink's. As a result of the announcement, the price of Brink's stock jumped more than 30%, from \$31.42 at the close on January 15, 2010, the business day before the announcement, to as high as \$41.95 a share on January 19, 2010, the first trading day after the announcement.

16. On February 19, 2010, the expiration date for the February 35 call options, Doyle initially entered a "do not exercise" ("DNE") order on those options, essentially forfeiting over \$60,000 in profits. After several conversations with TD Ameritrade representatives, however, Doyle decided to exercise the options and take the profits.

17. In May 2010, pursuant to the Tyco-Brink's merger, Doyle received 191 Tyco shares in exchange for his 250 Brink's shares. He also received Tyco June call options in exchange for his 30 June 30 Brink's call options.

18. In June 2010, Doyle exercised the Tyco call options and purchased Tyco shares. As a result of his transactions, Doyle earned profits of \$88,555.

19. During all relevant periods, and at the time he traded Brink's securities, Doyle knew, should have known, or was reckless in not knowing, that he possessed and used inside information conveyed in breach of a duty owed to the source of the information.

CLAIM FOR RELIEF

Violations of Section 10(b) of the Exchange Act [15 U.S.C. § 78j(b)] and Rule 10b-5 [17 C.F.R. § 240.10b-5] thereunder

20. Plaintiff Commission repeats and incorporates by reference paragraphs 1 through 21 of this Complaint as if set forth *verbatim* herein.

21. Defendant, by engaging in the conduct described above, directly and indirectly, in connection with the purchase and sale of securities, and by use of the means and instrumentalities of interstate commerce and of the mails, has: (a) employed devices, schemes and artifices to defraud; (b) made untrue statements of material facts and omitted to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; and (c) engaged in acts, practices or courses of business that have operated or will operate as a fraud and deceit upon other persons.

22. Defendant intentionally, knowingly, or recklessly made the untrue statements and omissions and engaged in the devices, schemes, artifices, transactions, acts, practices and courses of business described above.

23. By reason of the foregoing acts and practices, Defendant violated and, unless enjoined, will continue to violate Section 10(b) of the Exchange Act [15 U.S.C. § 78j(b)] and Rule 10b-5 [17 C.F.R. § 240.10b-5] thereunder.

PRAYER FOR RELIEF

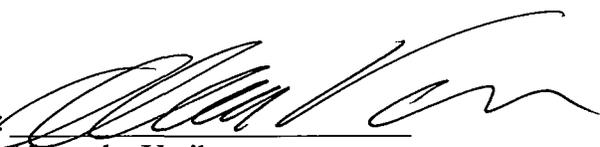
WHEREFORE, Plaintiff respectfully requests that this Court:

- (1) Permanently enjoin Defendant and his agents, servants, employees, attorneys and all persons in active concert or participation with him who receives actual notice of the injunction by personal service or otherwise, and each of them, from future violations 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];
- (2) Order Defendant to disgorge all ill-gotten gains from the conduct alleged herein, with prejudgment interest;
- (3) Order civil penalties against Defendant pursuant to Section 21A of the Exchange Act [15 U.S.C. § 78u-1] for violations of the federal securities laws as alleged herein;
- (4) Order such other and further relief as the Court may deem just and proper.

Dated: July 19, 2011
New York, New York

Respectfully submitted,

SECURITIES AND EXCHANGE COMMISSION

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