

**ALABAMA SECURITIES COMMISSION**  
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## **Final Indicted Co-Conspirator Pleads Guilty to Securities Charge**

MONTGOMERY, ALABAMA (May 3, 2016) Robert L. Broussard, District Attorney for the 23<sup>rd</sup> Judicial Circuit, Madison County, Alabama; and Joseph Borg, Director of the Alabama Securities Commission (ASC) announced that on April 28, 2016, Robert J. Levine plead guilty to one count of Conspiracy to Commit Securities Fraud before Madison County Circuit Court Judge Alison Austin. The conspiracy charge is a Class C felony, punishable by incarceration of from one year and a day to ten years and a possible fine of not more than \$15,000. The State has recommended to the Court that Levine be sentenced to five years' imprisonment and pay restitution totaling \$665,160 to multiple victims. Levine will also face a permanent bar from employment in the securities industry. Levine applied for probation and the Court ordered a presentence report. Sentencing for Levine is set May 18, 2016.

Levine's plea is the result of an August, 2014 Madison County, Alabama Grand Jury indictment charging that he, along with co-defendants, Gregory James Botolino (St. Augustine, Florida), Richard David Hall (Huntsville, Alabama), Joseph P. Tufo (Concord, California) and Hendrickx Toussaint (Atlanta, Georgia), fraudulently solicited investors' funds to be used in a managed, "no risk" gold "buy-sell" program wherein investors' funds would purportedly be used to purchase gold in Ghana, Africa to be traded internationally, thus making a profit for the investors. The defendants conspired to draft and distribute "attorney attestation letters" guaranteeing the legitimacy and safety of the gold trading platform, assuring all prospective investors that their funds would be safe. An ASC Enforcement Division investigation revealed that the supposed trading of gold never occurred and investors' funds were diverted by the defendants for unrelated purposes. The scheme perpetrated by Levine and his co-defendants actually originated in Georgia and was later promoted from Huntsville, Alabama. ASC records showed that neither Levine nor his co-defendants were properly registered with the ASC, as required by the Alabama Securities Act, to legally conduct securities business within Alabama.

ASC Director, Joseph Borg said, "All defendants in this wide-ranging illicit scheme have now been convicted. The convictions should send a strong message that scamming innocent Alabamians will result in vigorous criminal law enforcement. This latest guilty plea was a result of many hours of hard work by the Madison County District Attorney's Office, the Madison County Sheriff's Office, the Palm Beach County, Florida Sheriff's office, the Contra Costa County, California Sheriff's Office, the U.S. Marshal's Service, the Federal Bureau of Investigation, and the Commission's Enforcement Division." Director Borg said, "I am particularly proud of the efforts of ASC Special Agent Mike Wilkerson and Enforcement Attorneys Greg Biggs and James Eubank."

The ASC cautions potential investors to thoroughly scrutinize and research any investment opportunity or offer. Contact the ASC with inquiries concerning securities broker-dealers, agents, investment advisers, investment adviser representatives, financial planners, registration status of securities or debt management programs, to report suspected fraud or to obtain consumer information. The ASC provides free investor education and fraud prevention materials in print, on our website and through educational presentations upon request.

For further information contact Dan Lord, Education and Public Affairs Manager, 334-353-4858.

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