

3. **YAMAN HUSEYIN SENCAN (SENCAN)**, Central Registration Depository #1791513, during all times relevant to the issuance of this Order was the registered principal and President of Mercator Associates, LLC. **SENCAN** reportedly maintains a residential address of 13107 Chambord Way, San Diego, CA 92130.

4. **STEPHEN MERRY ("MERRY")**, Central Registration Depository # 2794745, during all times relevant to the issuance of this Order, has been identified as a principal in **RAMCO** with a residential address of 9130 Old Castle Road, Valley Center, CA 92082.

STATEMENT OF FACTS

5. In 2008 **SENCAN**, while acting in his position as President of **MERCATOR**, contacted an Alabama resident and explained to him an investment opportunity in a high frequency trading program designed to buy and sell stocks in rapid succession. Based on **SENCAN'S** solicitations the Alabama resident entered into an investment contract with **WESTOVER** on August 3, 2009, investing \$104,000.00 in the form of a wire transfer in **WESTOVER**. Subsequent to the initial investment, the Alabama investor made an additional investment on November 13, 2009. The Alabama resident investor received an e-mail from **SENCAN** containing an investment contract entitled a "Co-Investment Agreement" which explained an automated proprietary trading platform and the relationship between the entities and the investors; the agreement was to be executed between **RAMCO, WESTOVER, SENCAN** and the investor.

6. A review of the Financial Industry Regulatory Authority's ("FINRA"), Central Registration Depository website reveals that **SENCAN** was permanently barred as a principal from the securities industry as of August 1, 2011 for violation of "FINRA" rule 2010, National Association of Securities Dealers rules 2110, 3010, 3011(B), and 3011(E). The charges were based upon **SENCAN'S** failure to reasonably supervise the activities of a member firm's personnel who engaged in the charging of excessive commissions, sharing commissions with non-member firms and misusing funds on

deposit with the firm.

7. On February 20, 2013, the Commission issued Administrative Order number **CD 2013-0003** ordering respondents **WESTOVER, RAMCO, SENCAN** and **MERRY**, to immediately **cease and desist** further offers or sales of any security into, within or from the state of Alabama.

8. On December 20, 2013, a United States Federal Jury representing the Southern District of Alabama convicted respondents **SENCAN** and **MERRY** of felony conspiracy to commit fraud, fraud through interstate transactions and eighteen counts of wire fraud in connection with their activities involving **WESTOVER** and **RAMCO**. **SENCAN** and **MERRY** are scheduled to be sentenced on the convictions by the United States Federal Court for the Southern District of Alabama on March 24, 2014.

CONCLUSIONS OF LAW

9. Section 8-6-3(j)(3), Code of Alabama 1975 provides that the Securities Commission may, by order, bar any person who has been convicted of any felony from participation in the securities business in Alabama. The felony convictions of **SENCAN** and **MERRY** in December 2013 constitute grounds for the issuance of a bar under the Act.

This Order is appropriate in the public interest for the protection of investors and consistent with the purposes of the Alabama Securities Act.

This Order does not prevent the Commission from seeking other civil or criminal remedies that may be available to it under the Alabama Securities Act.

ACCORDINGLY, IT IS HEREBY ORDERED that **RESPONDENTS, SENCAN** and **MERRY** are permanently barred from further participation in the Securities Industry in the State of Alabama.

Entered at Montgomery, AL, this 7th day of February, 2014.



ALABAMA SECURITIES COMMISSION
401 Adams Avenue, Suite 280
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(334) 242-2984
BY:

A handwritten signature in black ink, appearing to read "J. P. Borg", is written over a horizontal line. The signature is stylized and extends both above and below the line.

Joseph P. Borg
Director