

STATE OF ALABAMA
ALABAMA SECURITIES COMMISSION

IN THE MATTER OF:)
)
HOWARD SCHWARTZ)
)
 RESPONDENT)

ADMINISTRATIVE ORDER
NO. OB-2002-0011

ORDER OF BAR

The Alabama Securities Commission ("Commission"), having the power to administer and provide for the enforcement of all provisions of Title 8, Chapter 6, Code of Alabama 1975, the Alabama Securities Act, upon due consideration of the subject matter hereof, has determined as follows:

RESPONDENT

1. Respondent Howard Schwartz ("SCHWARTZ") was a registered representative of Myers Pollock Robbins, Inc. ("MPR") from June 1996 to December 1997 with a business address of One World Trade Center, 91st Floor, Suite 9151, New York, NY 10048. His residence address is 23 Peasant Run Lane, Dix Hills, NY 11746.

STATEMENT OF FACTS

2. On December 3, 2001, Respondent SCHWARTZ was prosecuted in the State of New York on charges of: (1) Engaging in a Scheme to defraud, (2) Securities Violations under the Martin Act, and (4) Falsifying Business Records. Respondent SCHWARTZ was alleged to have committed the crimes in connection with his employment as a registered representative of MPR. Allegedly, MPR agents

routinely disseminated false and misleading promotional and “research” material and used false and misleading sales pitches to convince customers to buy stocks. MPR agents falsely assured customers that the price of these stocks would rise quickly. They misrepresented the companies’ business prospects, falsely claimed to possess “inside” information, and claimed that MPR’s research department had recommended the stocks, when, in fact, MPR had no research department. They omitted to advise customers that the stocks were illiquid, highly risky investments in companies with no histories, or histories of losses and with little prospects for the future.

3. On, March 26, 2002 Respondent SCHWARTZ was found guilty of the above charges by a jury in the Supreme Court of the State of New York, County of New York

CONCLUSIONS OF LAW

4. Pursuant to the provisions of Section 8-6-3(j), Code of Alabama 1975, the Alabama Securities Commission may suspend, revoke, deny, censor or bar any applicant or registrant or any officer, director, partner, or person occupying a similar status or performing similar functions if the Commission finds that the Order is in the public interest and the applicant or registrant has willfully violated or willfully failed to comply with any provisions of this article, or a predecessor act, or any rule or order under this article or a predecessor act.

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

ACCORDINGLY, IT IS HEREBY ORDERED that RESPONDENT SCHWARTZ be **BARRED** from registration or engaging in any securities activities into, within or from the state of Alabama.

Entered at Montgomery, Alabama this 15th day of July, 2002.



ALABAMA SECURITIES COMMISSION
770 Washington Avenue, Suite 570
Montgomery, AL 36130-4700
(334) 242-2984

BY:

A handwritten signature in black ink, appearing to read "Joseph P. Borg", is written over the printed name and title.

JOSEPH P. BORG
Director