

STATE OF ALABAMA  
ALABAMA SECURITIES COMMISSION

IN THE MATTER OF:                    )  
  )  
ROBERT MARTIRE                        )  
  )  
          RESPONDENT                  )

ADMINISTRATIVE ORDER  
NO. OB- 2003-0025

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 Robert Martire ("MARTIRE") was an employee of Myers Pollock Robbins, Inc. ("MPR") between April 1996 to April 1997 with a business address of One World Trade Center, 91<sup>st</sup> Floor, Suite 9151, New York, NY 10048. His residence address is 34 Hevelyn Road Elsford, NY 15203-2903.

STATEMENT OF FACTS

2. On April 24, 2000, Respondent MARTIRE was indicted and arrested in the State of New York on the charge of Engaging in a Scheme to defraud. Respondent MARTIRE was alleged to have committed the crime in connection with his employment as a 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. Respondent MARTIRE pleaded guilty to the above charge in the Supreme Court of the State of New York, County of New York and sentenced to 3 years probation.

#### 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 MARTIRE be **BARRED** from registration or engaging in any securities activities into, within or from the state of Alabama.

Entered at Montgomery, Alabama this 18<sup>th</sup> day of September, 2003.



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 a horizontal line.

JOSEPH P. BORG  
Director