

**STATE OF ALABAMA
ALABAMA SECURITIES COMMISSION**

IN THE MATTER OF:

**FXCRYPTOFAIR
BARBARA LAWSON**

RESPONDENT

**ADMINISTRATIVE ORDER
NO. CD-2019-0028**

CEASE AND DESIST ORDER

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

RESPONDENTS

1. FXCRYPTOFAIR LTD ("FXCF") is an online entity that purports to be an online exchange company based in New York, Florida and located at 217 Summit Boulevard, Birmingham, Alabama. FXCF is accessible via the website <https://fxcryptofair.com> and may be served through its domain name registrar NAMECHEAP.COM located at 11400 W. Olympic Blvd, Ste 200, Los Angeles, California 90064, via namecheap.com or at legal@namecheap.com.

2. BARBARA LAWSON ("LAWSON"), according to the NFA complaint material LAWSON is the "Account Manager" for FXCF. LAWSON may be served through the corporate domain name registrar NAMECHEAP.COM located at 11400 W. Olympic Blvd, Ste 200, Los Angeles, California 90064, via namecheap.com or at legal@namecheap.com.

STATEMENT OF FACTS

3. On Friday September 13, 2019, Commission Staff received a registration and interstate commerce inquiry from the National Futures Association (NFA). Representatives of the NFA were seeking the registration status of FXCF due to a complaint received by their office. According to the NFA inquiry, the original complainant had invested funds with LAWSON, the

account manager with FXCF, but had not received their stated monthly returns. The account manager, LAWSON, subsequently communicated with the complainant that certain fees, i.e. transfer fee and commission fee, required payment prior to the disbursal of the stated profit. After making the fee payment via Bitcoin wallet, the company has not made the profit distribution to the complainant.

4. A review of the FXCF website at <https://fxcryptofair.com>, the company represents their business is located at 217 Summit Boulevard, Birmingham, Alabama, as well as undisclosed locations in New York and Florida. A review of the Alabama, New York and Florida Secretary of State's offices had no listing of FXCF as a business entity. An online search of the occupancy of 217 Summit Boulevard, Birmingham, Alabama revealed no listing for FXCF as an occupant in the Summit Shopping Mall.

5. An online domain and IP trace revealed that FXCF registered with the United States Domain Provider, NAMECHEAP.com, in June 2019. According to the Domain provider, the FXCF registrant is located at P.O. Box 0823-03411 in the south American country of Panama.

6. According to the website, FXCF *"..is the leading exchange in the U.S. offering binary options and Cryptocurrency trades"* FXCF also claims to be *"the first binary options broker in the world which provides its traders with an opportunity to gain profit by analyzing cryptocurrency pairs."*

7. According to the FXCF website, FXCRYPTOFAIR operates online and mobile platforms to trade stock indices, forex, commodities, and Bitcoin.

8. On September 16, 2019, a review of the registration files of the Alabama Securities Commission revealed no registration for the RESPONDENTS in any capacity.

9. A review of the Alabama Secretary of State's online database revealed no record for the RESPONDENT entity as a domestic or foreign business.

CONCLUSIONS OF LAW

10. Pursuant to Section 8-6-2(10), Code of Alabama 1975," the definition of a security includes investment contracts, binary options, stocks and Forex trades. The trades outlined by the Respondent to garner the investor monthly profits weekly are investment contracts and/or a profit-sharing agreement.

11. Pursuant to Section 8-6-4, Code of Alabama 1975, it is unlawful for any person to

offer or sell any security in this state unless it is registered under the Act, the security is exempt from registration under Section 8-6-10; or the transaction is exempt under Section 8-6-11. The securities offered, traded and sold by RESPONDENTS were neither registered nor exempt from registration in Alabama at the time of solicitation or sale and were offered and sold in violation of the act.

12. Pursuant to Section 8-6-3(a), Code of Alabama 1975, it is unlawful for any dealer or issuer to transact business in this state as a Dealer or Agent unless, he is registered under the Act. The RESPONDENT entity is not registered in any capacity with the Commission and has effected securities transactions in the state of Alabama in violation of the Act.

13. Pursuant to Section 8-6-3(a), Code of Alabama 1975, it is unlawful for any dealer or issuer to employ an agent unless the agent is registered. FXCF employed LAWSON as an account manager, who was not registered in the state of Alabama in any capacity.

This Order does not prevent the Commission from seeking such other civil or criminal remedies that are available to it under the Act.

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

Additionally, if the allegations set forth herein are found to be true, through either administrative adjudication, failure of the RESPONDENTS to make a timely request for a hearing, or default of the RESPONDENTS, it is the intention of the Commission to impose sanctions upon the RESPONDENTS. Such sanctions may include, inter alia, an administrative assessment imposed on the RESPONDENTS, an additional administrative assessment for investigative cost arising from the investigation of the violation(s) described herein against the RESPONDENTS, and a permanent order to bar the RESPONDENTS from participation in any securities related industry in the state of Alabama.

ACCORDINGLY, IT IS HEREBY ORDERED that the **RESPONDENTS** immediately **CEASE AND DESIST** from further offers or sales of any security into, within or from the state of Alabama.

Entered at Montgomery, Alabama, this 17th day of September 2019.



ALABAMA SECURITIES COMMISSION

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BY:

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Director