

**STATE OF ALABAMA
ALABAMA SECURITIES COMMISSION**

IN THE MATTER OF:

SWIFTTRADINGS

RESPONDENT

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**ADMINISTRATIVE ORDER
NO. CD-2020-0010**

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. SWIFTTRADINGS ("SWIFT") is an online entity that purports to be a bitcoin and securities trading platform accessible to Alabama residents via the website www.swifttradings.com and may be served through its domain provider; WhoisSecure located at 18 San Carlos Street, Los Angeles, California 94110, or at contact@whoissecure.net

STATEMENT OF FACTS

2. On May 15, 2020, an Alabama resident filed a written complaint with the Commission regarding an investment made with a bitcoin trading platform advertised on the social media website Instagram via address @Gregta_swifttradings247. The Instagram address was an advertisement platform and direct message communication portal for the online website; www.swifttradings.com. The Alabama resident received emails from support@swifttradings.com and direct messages from the Instagram address @Gregta_swifttradings247.

3. According to the complaint, SWIFT, through emails and direct messages, represented that an investment of \$500.00 would earn thousands of dollars in four weeks.

4. According to the SWIFT website, the “How it works” section represents; *“MAKE DEPOSITS AND TRADE: Make a deposit, trade any of [sic] many assets and stocks. Make up to 96% profit in 30 seconds.”*

5. Based on SWIFT’s representations, the Alabama resident opened a SWIFT account on or about January 7, 2020 and transferred \$500.00 worth of bitcoin to a SWIFT wallet address which was provided to the Alabama resident by a SWIFT Instagram direct message.

6. From January 7, 2020 to March 16, 2020, the Alabama resident received periodic statements via Instagram messages, which indicated a profit in the monetary value of the account from \$500.00 to \$32,515.73.

7. When the Alabama resident attempted to withdraw bitcoin, SWIFT assessed assorted fees to the account, claiming that such fees were required to be paid by the investor in order to distribute proceeds from the investor’s SWIFT account. The Alabama Investor paid the following fees, at the request of SWIFT, in order to facilitate the distribution of the funds SWIFT claimed to be within the Alabama investor’s SWIFT account:

02/26/2020	\$1048.52	Escrow Fee
04/15/2020	\$ 450.00	Express Fee
04/17/2020	\$ 450.00	2 nd Express Fee
04/22/2020	\$ 648.00	Maintenance Fee
04/22/2020	\$ 650.06	Holding Fee
04/24/2020	\$ 955.08	Advisor Fee
04/25/2020	\$ 955.07	Advisor Fee
05/08/2020	\$1650.00	Transaction Fees and Commissions
05/13/2020	\$ 850.00	Wasting Time Fee

All of the foregoing fees were paid by the Alabama investor from funds not contained in the Alabama investor’s SWIFT account even though SWIFT claimed assets within the Alabama investor’s SWIFT account were in excess of \$32,515.73. Additionally, the express fee collected from the Alabama investor on April 15, 2020 were paid for “express delivery” of CORONAVIRUS earnings during the pandemic.

8. The Terms and Conditions listed on the SWIFT website, failed to disclose the various fees assessed to and paid by the Alabama investor, including investment advisory fees, express fee related to the CORONAVIRUS Pandemic, and a Holding fee.

9. According to the Alabama investor, regardless of paying the required fees, their returns on investment were never distributed, SWIFT closed their Instagram account and ceased further communications with the Alabama investor.

10. On May 26, 2020, a review of the registration files of the Alabama Securities Commission revealed no registration for the RESPONDENT in any capacity.

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

CONCLUSIONS OF LAW

12. Pursuant to Section 8-6-2(10), Code of Alabama 1975, the definition of a security includes investment contracts and profit-sharing agreements. The investment plans outlined by RESPONDENT require the investment of money in the investment program managed by RESPONDENT from which the Alabama investor expected profits to be derived from the efforts of RESPONDENT and are securities as defined by the Act.

13. Pursuant to Section 8-6-2(18), Code of Alabama 1975, an Investment Adviser is any person who, for compensation, advises others, either directly or indirectly, as to the value of, or the advisability of investing in securities. The definition includes those who manage portfolios or the accounts of other investors. RESPONDENT represented that they managed and traded the account of the Alabama investor, charged investment advisory fees and transaction fees, and is an Investment Adviser as defined in the Act.

14. Pursuant to Section 8-6-17(b)(2), Code of Alabama 1975, it is unlawful for any person who receives, directly or indirectly, any consideration from another person for advising the other person as to the value of securities or their purchase or sale, whether through the issuance of

analyses or reports or otherwise to employ any device, scheme, or artifice to defraud the other person. RESPONDENT promised excessive returns to investors, reported fictitious account values and imposed undisclosed fees in violation of the Act.

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 RESPONDENT to make a timely request for a hearing, or default of the RESPONDENT, it is the intention of the Commission to impose sanctions upon the RESPONDENT. Such sanctions may include, inter alia, an administrative assessment imposed on the RESPONDENT, an additional administrative assessment for investigative cost arising from the investigation of the violation(s) described herein against the RESPONDENT, and a permanent order to bar the RESPONDENT from participation in any securities related industry in the state of Alabama.

ACCORDINGLY, IT IS HEREBY ORDERED that the **RESPONDENT** 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 4th day of June 2020.



ALABAMA SECURITIES COMMISSION

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BY:

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Director