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BEFORE THE DEPARTMENT OF BUSINESS OVERSIGHT
OF THE STATE OF CALIFORNIA

In the Matter of THE COMMISSIONER OF BUSINESS OVERSIGHT,)	CRD ID: 4880813
)	STATEMENT OF ISSUES TO BAR JOSEPH N. FAHMY, FROM ANY POSITION OF
Complainant,)	EMPLOYMENT, MANAGEMENT OR
v.)	CONTROL OF ANY INVESTMENT
)	ADVISER OR BROKER-DEALER
JOSEPH N. FAHMY,)	(CORPORATIONS CODE SECTION 25232.1)
)	
Respondent.)	
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)	
)	

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21 Jan Lynn Owen, the Commissioner of Business Oversight (“Commissioner”), alleges and
22 charges as follows:

23 **I**
24 **Jurisdiction and Venue**

25 1. The Commissioner brings this bar action under the provisions of Corporations Code
26 section 25232.1, and the rules and regulations promulgated thereunder.

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1 certificate or license to transact business as an investment adviser or investment adviser
2 representative within the state.

3 8. Massachusetts’ February 26, 2013 consent order remains in effect.

4 **III**

5 **Fahmy Should be Barred from Any Position of**
6 **Employment, Management or Control of Any Investment-Adviser**

7 9. Corporations Code section 25232.1 provides:

8 The commissioner may, after appropriate notice and opportunity for
9 hearing, by order censure, or suspend for a period not exceeding 12
10 months, or bar from any position of employment, management or
11 control of any investment adviser, broker-dealer or commodity adviser,
12 any officer, director, partner, employee of, or person performing similar
13 functions for, an investment adviser, or any other person, if he or she
14 finds that the censure, suspension or bar is in the public interest and
15 that the person has committed any act or omission enumerated in
16 subdivision (a), (e), (f), or (g) of Section 25232 or has been convicted
17 of any offense or held liable in any civil action specified in subdivision
18 (b) of Section 25232 or is enjoined from any act, conduct or practice
19 specified in subdivision (c) of Section 25232 or is subject to any order
20 specified in subdivision (d) of Section 25232.

21 10. Corporations Code section 25232, in relevant part, provides:

22 (d) Is or has been subject to . . . (3) any other order of the commission
23 or any administrator, association, or exchange referred to in this
24 subdivision which is or has been necessary for the protection of any
25 investor.

26 11. As discussed in paragraph 7., above, The Commonwealth of Massachusetts, Secretary
27 of the Commonwealth, Securities Division, “in the best interest of the public and for the protection of
28 investors,” issued a consent order, dated February 26, 2013, barring Fahmy from acting as a broker-
dealer agent or investment adviser representative within Massachusetts for a period of at least eight
years.

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IV

Conclusion

Massachusetts' eight-year bar order entered against Fahmy gives the Commissioner cause to bar him from any position of employment, management or control of any investment adviser or broker-dealer under the Corporate Securities Law of 1968.

WHEREFORE, based on the foregoing, the Commissioner finds it is in the public interest to bar Fahmy from any position of employment, management or control of any investment adviser or broker-dealer under Corporations Code section 25232.1.

Dated: October 11, 2016
Los Angeles, CA

JAN LYNN OWEN
Commissioner of Business Oversight

By: _____
BLAINE A. NOBLETT
Senior Counsel
Enforcement Division