

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**STATE OF CALIFORNIA**  
**BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY**  
**DEPARTMENT OF BUSINESS OVERSIGHT**

TO: Garen Ovsepyan  
Sharpe Signa, LLC  
8484 Wilshire Boulevard, Suite 220  
Beverly Hills, California 90211

**DESIST AND REFRAIN ORDER**  
**(For violations of Corporations Code Sections 29520 and 29535)**

The Commissioner of Business Oversight finds that:

1. At all relevant times, Sharpe Signa, LLC (“Sharpe”) was a Delaware limited liability company, formed on July 19, 2010, and Garen Ovsepyan (“Ovsepyan”) was the managing member and sole principal for Sharpe Signa, LLC.
2. During 2014, Ovsepyan and Sharpe offered and sold commodities under commodities contracts in California by means of advisory agreements entered into between Ovsepyan and Sharpe and at least eleven different clients. Under the advisory agreements, these clients were required to do the following: deposit monies in an account; allow Ovsepyan and Sharpe to trade foreign currencies and options on currencies; enter into a power of attorney to allow for trading of these commodities; and pay Sharpe and Ovsepyan an incentive fee based on monthly gains.
3. The commodity contracts Ovsepyan and Sharpe offered and sold, or offered to be entered into or entered into as sellers or purchasers on behalf of clients were primarily for speculative and investment purposes, in that, the commodities were purchased or sold based on fluctuations in particular currencies, rather than as a means of acquiring the physical commodities.
4. The foreign currencies purchased or sold by Ovsepyan and Sharpe under the commodities contracts were commodities within the meaning of section 29504 of the California Commodity Law of 1990 (the “CCL”).

1 5. Section 29520 of the CCL makes it unlawful for any person to offer or sell any commodity  
2 under any commodity contract, except as provided by sections 29530, 29531, and 29532. The  
3 transactions of Ovsepyan and Sharpe fail to qualify under any exemptions provided for by sections  
4 29530, 29531 and 29532 of the CCL.

5 6. Section 29535 of the CCL prohibits any person from engaging in a trade or business or  
6 otherwise act as a commodity merchant (including a commodity trading adviser) unless the person is  
7 registered with the Commodity Futures Trading Commission (“CFTC”) or is exempt from  
8 registration. On December 7, 2015, the CFTC issued an order finding that Ovsepyan and Sharpe  
9 unlawfully engaged in the business of a commodity trading adviser without being registered by the  
10 CFTC or exempt from registration.

11 Based upon the foregoing findings, the Commissioner of Business Oversight is of the opinion  
12 that Ovsepyan and Sharpe offered or sold commodities under commodities contracts in violation of  
13 Corporations Code section 29520. Furthermore, the Commissioner is of the opinion that Ovsepyan  
14 and Sharpe engaged in the business of a commodity trading adviser without being registered or  
15 exempt from registration, in violation of Corporations Code section 29535.

16 Pursuant to Corporations Code section 29542, Ovsepyan and Sharpe are hereby ordered to  
17 desist and refrain from the further offer and sale of foreign currencies and options on currencies  
18 under commodities contracts, in the State of California, unless and until that activity is not in  
19 violation of Corporations Code sections 29520 and 29535. This Order is necessary, in the public  
20 interest, for the protection of investors and consistent with the purposes, policies, and provisions of  
21 the California Commodity Law of 1990.

22 Dated: August 5, 2016

JAN LYNN OWEN  
Commissioner of Business Oversight

23  
24  
25 By \_\_\_\_\_  
26 MARY ANN SMITH  
27 Deputy Commissioner  
28 Enforcement Division