

1 CLOTHILDE V. HEWLETT
Commissioner
2 MARY ANN SMITH
Deputy Commissioner
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11 BEFORE THE DEPARTMENT OF FINANCIAL PROTECTION AND INNOVATION
12 OF THE STATE OF CALIFORNIA
13

14 In the Matter of:) CRD NO. 174450
15 THE COMMISSIONER OF FINANCIAL)
16 PROTECTION AND INNOVATION,) ORDER SUMMARILY REVOKING
17 Complainant,) INVESTMENT ADVISER CERTIFICATE
18 v.) (Corp. Code, § 25242, subdivision (c))
19 NOE PADILLA DBA OPTIMIZO)
20 INVESTMENT STRATEGIES,)
21 Respondent.)

22 The Commissioner of Financial Protection and Innovation (Commissioner) finds:

- 23 1. Noe Padilla DBA Optimizo Investment Strategies (NP), is a California Sole
24 Proprietorship with its principal place of business at 4640 Summerhays PL Santa Rosa, California
25 95405.
26 2. On September 21, 2015, the Commissioner issued an Investment Adviser certificate
27 to NP pursuant to Corporations Code section 25230, Central Registration Depository (CRD) Number
28 174450.

1 3. Noe Padilla, CRD Number 6474562, is the owner of NP.

2 4. Pursuant to California Code of Regulations, title 10, section 260.241.4, subdivision
3 (e), a licensed investment adviser shall file an annual updating amendment, in accordance with the
4 instruction in Form ADV, with IARD in accordance with its procedures for transmission to the
5 Commissioner within ninety (90) days of the end of the investment adviser’s fiscal year.

6 5. Corporations Code section 25241 requires an Investment Adviser to file any report
7 and to maintain records as required by Commissioner.

8 6. On June 30, 2022 the Commissioner instructed NP to file an annual updating
9 amendment to its Form ADV in the Investment Adviser Registration Depository (IARD) no later
10 than 30 days after June 30, 2022 to be in compliance with the law. According to the IARD, NP has
11 not filed an annual updating amendment to its Form ADV for 2021 as requested by the
12 Commissioner.

13 7. On September 8, 2022, the Commissioner issued an Order to Discontinue Violation
14 against NP and served it by certified mail return receipt and electronic mail.

15 8. To date, the Commissioner still has not received a response from NP and NP is in
16 violation of the Order to Discontinue Violation.

17 9. On November 7, 2022, the Commissioner issued an Order Summarily Suspending
18 Investment Adviser Certificate (Suspension Order) against NP and served it by certified mail return
19 receipt and electronic mail.

20 10. To date, the Commissioner still has not received a response from NP and NP is in
21 violation of the Suspension Order.

22 11. The Commissioner finds that NP violated Corporations Code section 25241 by failing
23 to file any report required under section 25241 within 10 days after notice by the Commissioner that
24 the report is due.

25 12. The Commissioner finds that NP violated Corporations Code section 25241 by failing
26 to maintain records as required by Commissioner.

27 13. The Commissioner finds that Abbreviated Co. Name violated California Code of
28 Regulations, title 10, section 260.241.4, subdivision (e), by failing to file an annual updating

1 amendment, in accordance with the instruction in Form ADV, with IARD in accordance with its
2 procedures for transmission to the Commissioner within ninety (90) days of the end of the
3 investment adviser’s fiscal year

4 14. Pursuant Corporations Code section 25242, subdivision (c)(2) and (c)(6) the
5 Commissioner may summarily revoke the certificate of the Investment Adviser if the Investment
6 Adviser fails to file any report required under section 25241 within 10 days after notice by the
7 Commissioner that the report is due and or fails to maintain records as required by the
8 Commissioner.

9 NOW, BASED UPON THE FOREGOING AND GOOD CAUSE APPEARING, IT IS
10 HEREBY ORDERED under Corporations Code section 25242, subdivision (c), that the Investment
11 Adviser certificate of Noe Padilla DBA Optimizo Investment Strategies is summarily revoked. This
12 Order is effective immediately. Noe Padilla DBA Optimizo Investment Strategies is precluded from
13 soliciting or facilitating new business, including existing clients. This summary suspension does not
14 preclude Noe Padilla DBA Optimizo Investment Strategies from engaging in activities necessary to
15 wind down the business, such as liquidating transactions, transferring accounts, forwarding checks
16 received to the clearing firm, responding to regulatory inquiries, filing Form U-5s for registered
17 representatives, fielding client requests for account servicing or documents, for up to 60 days after
18 the date of this Order.

19 The Commissioner finds this action is appropriate, in the public interest, for the protection of
20 investors, and consistent with the purposes fairly intended by the policies and procedures of the
21 Corporate Securities Law of 1968 (Corp. Code, § 25000 et seq.).

22 Dated: December 19, 2022

CLOTHILDE V. HEWLETT
Commissioner of Financial Protection and Innovation



23
24
25 By: _____
26 BALBIRO KAZLA
27 Deputy Commissioner
28 Broker-Dealer Investment Adviser Division