



U.S. Securities and Exchange Commission

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LITIGATION RELEASE NO. 20944 / March 11, 2009

SEC v. Peter W. Fisher, et al., Civil Action No. 07-cv-12552 GER PJK (E.D. Mich. filed June 14, 2007)

SEC v. Phillip W. Offill, Jr., et al., Civil Action No. 07-cv-1643-D (N.D. Tex. filed Sept. 26, 2007)

SEC v. David B. Stocker, et al., Civil Action No. CIV-08-1475-PHX-FJM (D. Ariz. filed Aug. 11, 2008)

ATTORNEY PLEADS GUILTY TO CONSPIRACY TO VIOLATE SECURITIES LAWS

The Department of Justice announced today that it filed criminal charges against Arizona securities lawyer David B. Stocker in the United States District Court for the Eastern District of Virginia. The Department of Justice charged Stocker with one count of conspiracy to commit securities fraud involving 19 publicly-traded companies. According to the Department of Justice's announcement, Stocker participated in a "pump-and-dump" scheme to issue shares to the public illegally and to manipulate the trading price and volume by making materially false and misleading statements in press releases and in spam e-mail messages. Stocker simultaneously entered a guilty plea, agreeing to pay restitution to investors and forfeit the proceeds of his crimes. Stocker is currently scheduled to be sentenced on November 6, 2009.

The Securities and Exchange Commission earlier named Stocker in three civil injunctive actions currently pending in federal district courts in Arizona, Michigan, and Texas. In the actions, described below, the Commission alleged that Stocker violated the antifraud and registration provisions of the securities laws:

- On June 14, 2007, the Commission filed a complaint in the United States District Court for the Eastern District of Michigan alleging that Stocker and Texas attorney Phillip W. Offill, Jr. assisted Michigan-based AVL Global, Inc., in a scheme to dump millions of shares of AVL Global stock into the marketplace without any public disclosure of the company's failing operations.
- On September 26, 2007, the Commission filed a complaint in the United States District Court for the Northern District of Texas alleging that Stocker, Offill, four other individuals, and five entities engaged in a scheme to evade the registration requirements of the federal securities laws in connection with their sales of shares of six public companies.

- On August 11, 2008, the Commission filed a complaint in the United States District Court for the District of Arizona alleging that Stocker and an affiliated company perpetrated multiple instances of corporate identity theft by illegally gaining control of defunct public corporations and selling them for cash.

The Commission seeks to enjoin Stocker from future violations of the securities laws, disgorgement of Stocker's ill-gotten gains with pre-judgment interest, civil penalties, and to bar Stocker from participating in future offerings of penny stock.

Litigation Release Nos. [20154](#) (June 14, 2007), [20302](#) (Sept. 27, 2007), and [20681](#) (Aug. 12, 2008)

<http://www.sec.gov/litigation/litreleases/2009/lr209224.htm>

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