

**UNITED STATES OF AMERICA**  
**Before the**  
**SECURITIES AND EXCHANGE COMMISSION**

**INVESTMENT ADVISERS ACT OF 1940**  
**Release No. 3550 / February 6, 2013**

**ADMINISTRATIVE PROCEEDING**  
**File No. 3-15205**

**In the Matter of**

**JORGE GOMEZ,**

**Respondent.**

**ORDER INSTITUTING ADMINISTRATIVE  
PROCEEDINGS PURSUANT TO SECTION  
203(f) OF THE INVESTMENT ADVISERS  
ACT OF 1940 AND NOTICE OF HEARING**

**I.**

The Securities and Exchange Commission (“Commission”) deems it appropriate and in the public interest that public administrative proceedings be, and hereby are, instituted pursuant to Section 203(f) of the Investment Advisers Act of 1940 (“Advisers Act”), against Jorge Gomez (“Respondent” or “Gomez”).

**II.**

After an investigation, the Division of Enforcement alleges that:

**A. RESPONDENT**

1. Gomez, who is 42 years of age, has a last known residence in Mexico. From 2006 through 2010, Gomez operated an unregistered investment advisory business located in Dallas, Texas and Mexico under the name Atlantic International Capital LLC (“Atlantic”) and Capital International Atlantic Consultores, respectively. Gomez also served as a “finder” for the unregistered investment advisory and securities brokerage business, Aleph Consulting Group LLC (“Aleph”), located in Miami, Florida. From his role in the two companies, Gomez, among other things, advised an investment advisory client (the “Client”) in investment decisions and traded securities on the Client’s behalf.

B. ENTRY OF THE INJUNCTION

2. On January 18, 2013, a final judgment was entered against Gomez by default, permanently enjoining him from future violations of Section 10(b) of the Securities Exchange Act of 1934 (“Exchange Act”) and Rule 10b-5 thereunder, and Sections 206(1) and 206(2) of the Advisers Act, and aiding and abetting violations of Sections 206(1) and 206(2) of the Advisers Act, in the civil action entitled Securities and Exchange Commission v. Jorge Gomez, et al., Civil Action Number 12-CV-21962, in the United States District Court for the Southern District of Florida.

3. The Commission’s Complaint alleged that, from 2007 through 2010, Gomez misappropriated more than \$4.3 million from the Client, who had entrusted Gomez with approximately \$10.9 million to invest on his behalf. Gomez misappropriated these funds while serving as a “finder” for Aleph, which was owned by his co-defendant Roberto Aleph Espinosa. Gomez concealed his misappropriation by providing the Client with fraudulent account statements, which overstated the Client’s account value and misstated his securities transactions and holdings. Gomez also provided fraudulent certificates for fictitious securities purportedly held by the Client, and created a fake customer service hotline to field calls from the Client.

**III.**

In view of the allegations made by the Division of Enforcement, the Commission deems it necessary and appropriate in the public interest that public administrative proceedings be instituted to determine:

A. Whether the allegations set forth in Section II hereof are true and, in connection therewith, to afford Respondent an opportunity to establish any defenses to such allegations; and

B. What, if any, remedial action is appropriate in the public interest against Respondent pursuant to Section 203(f) of the Advisers Act.

**IV.**

IT IS ORDERED that a public hearing for the purpose of taking evidence on the questions set forth in Section III hereof shall be convened at a time and place to be fixed, and before an Administrative Law Judge to be designated by further order as provided by Rule 110 of the Commission’s Rules of Practice, 17 C.F.R. § 201.110.

IT IS FURTHER ORDERED that Respondent shall file an Answer to the allegations contained in this Order within twenty (20) days after service of this Order, as provided by Rule 220 of the Commission’s Rules of Practice, 17 C.F.R. § 201.220.

If Respondent fails to file the directed answer, or fails to appear at a hearing after being duly notified, the Respondent may be deemed in default and the proceedings may be determined against him upon consideration of this Order, the allegations of which may be deemed to be true as

provided by Rules 155(a), 220(f), 221(f) and 310 of the Commission's Rules of Practice, 17 C.F.R. §§ 201.155(a), 201.220(f), 201.221(f) and 201.310.

This Order shall be served forthwith upon Respondent personally or by certified mail.

IT IS FURTHER ORDERED that the Administrative Law Judge shall issue an initial decision no later than 210 days from the date of service of this Order, pursuant to Rule 360(a)(2) of the Commission's Rules of Practice.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision of this matter, except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of Section 551 of the Administrative Procedure Act, it is not deemed subject to the provisions of Section 553 delaying the effective date of any final Commission action.

For the Commission, by its Secretary, pursuant to delegated authority.

Elizabeth M. Murphy  
Secretary