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IN THE MATTER OF
SWIFTMINEX AND ELIZABETH ROSSIELLO

§
§

Order No. ENF-20-CDO-1813

SWIFTMINEX

4937 Michael Drive, Houston, Texas 77017

ELIZABETH ROSSIELLO

4937 Michael Drive, Houston, Texas 77017

EMERGENCY CEASE AND DESIST ORDER

This is your OFFICIAL NOTICE of the issuance by the Securities Commissioner of the State of Texas ("**Securities Commissioner**") of an EMERGENCY CEASE AND DESIST ORDER pursuant to Section 23-2 of The Securities Act, Tex. Rev. Civ. Stats. Ann. arts. 581-1-581-45 (the "**Texas Securities Act**").

The Enforcement Division of the Texas State Securities Board has presented evidence sufficient for the Securities Commissioner to find that:

FINDINGS OF FACT

1. Swiftminex ("**Respondent Swiftminex**") claims to maintain its office at 4937 Michael Drive, Houston, Texas 77017.
2. Elizabeth Rossiello ("**Respondent Rossiello**") is an account manager for Respondent Swiftminex, and she may be served at 4937 Michael Drive, Houston, Texas 77017.

CRYPTOCURRENCY INVESTMENTS

3. Respondent Swiftminex claims to be an international cryptocurrency trading platform that trades bitcoin and mines cryptocurrency through remote datacenters.
4. Respondent Swiftminex is now issuing cryptocurrency investments that incorporate bitcoin trading, and potential investors can purchase the cryptocurrency investments through its public internet website at www.swiftminex.com (the "**Swiftminex Website**").

5. The Swiftminex Website describes the investments as Investment Plans and explains their terms as follows:
 - A. Respondent Swiftminex is representing a minimum investment in the amount of \$50.00 in its Starter Investment Plan will return more than 35 percent in daily profits;
 - B. Respondent Swiftminex is representing a minimum investment in the amount of \$1,000.00 in its Silver Investment Plan will return more than 65 percent in daily profits;
 - C. Respondent Swiftminex is representing a minimum investment in the amount of \$5,000.00 in its Gold Investment Plan will return more than 100 percent in daily profits; and
 - D. Respondent Swiftminex is representing a minimum investment in the amount of \$20,000.00 in its Platinum Investment Plan will return more than 600 percent in daily profits.
6. Respondent Swiftminex is representing it charges commissions in the form of transaction fees that are included in the costs of the investment.

GUARANTEES OF PROFITABILITY

7. Respondent Rossiello is telling investors that an investment of \$10,000.00 will return a profit of \$50,000.00 after five days of trading.
8. Respondent Rossiello is advising investors to purchase the investments now while the price of bitcoin is low.
9. Respondent Swiftminex claims it is able to generate profits and provide a source of passive income regardless of changes in the price of bitcoin.

THE REFERRAL PROGRAM

10. Respondent Swiftminex is offering a referral bonus for investors who refer others to the cryptocurrency trading platform.
11. Respondent Swiftminex claims to pay a 30% bonus to investors for every referral that results in a transaction being initiated.

THE FALSE CLAIM OF REGISTRATION WITH THE COMMODITY FUTURES TRADING COMMISSION

12. Respondent Swiftminex falsely claims it is registered as a Futures Commission Merchant and a Retail Foreign Exchange Dealer with the Commodity Futures Trading Commission ("CFTC").

THE FALSE CLAIM OF MEMBERSHIP
WITH THE NATIONAL FUTURES ASSOCIATION

13. Respondent Swiftminex falsely claims it is a member of the National Futures Association ("**NFA**") with a membership number of 0339678.

THE FALSE CLAIMS THAT
RESPONDENT SWIFTMINEX IS A TEXAS BUSINESS

14. Respondent Swiftminex is representing it maintains its office at 4937 Michael Drive, Houston, Texas 77017.
15. Although Respondent Swiftminex is representing it maintains its office in Texas, Respondent Swiftminex has not filed with the Texas Secretary of State and is not authorized by the Texas Secretary of State to transact business in Texas as a foreign or domestic entity.
16. Additionally, although Respondent Swiftminex is representing it maintains its office at 4937 Michael Drive, Houston, Texas 77017, this address is associated with a residence and not a corporate office, data mining center, or a similar business operation.

REGISTRATION VIOLATIONS

17. Respondents have not been registered with the Securities Commissioner as dealers or agents at any time material hereto.
18. The investments in the Starter, Silver, Gold and Platinum Investment Plans have not been registered by qualification, notification, or coordination at any time material to hereto, and no permit has been granted for their sale in Texas.

FRAUD AND THE FAILURE TO DISCLOSE
INFORMATION RELATING TO PRINCIPALS AND MANAGERS

19. In connection with the offer of investments in the Starter, Silver, Gold and Platinum Investment Plans, Respondents are intentionally failing to disclose the following material facts relating to the principals and managers of Respondent Swiftminex:
- A. Respondents are intentionally failing to disclose the identity of the principals and managers of Respondent Swiftminex; and
 - B. Respondents are intentionally failing to disclose the business repute, qualifications and experience of the principals and managers of Respondent Swiftminex.

**FRAUD AND DECEPTION AND
THE BUSINESS OF RESPONDENT SWIFTMINEX**

20. In connection with the offer of investments in the Starter, Silver, Gold and Platinum Investment Plans, Respondents are intentionally failing to disclose the strategy for generating profits.
21. In connection with the offer of investments in the Starter, Silver, Gold and Platinum Investment Plans, Respondent Swiftminex is intentionally failing to disclose the assets, liabilities or other financial information that demonstrates its ability to pay profits to investors regardless of the price of Bitcoin.

**FRAUD AND THE REPRESENTATIONS THAT
RESPONDENT SWIFTMINEX IS REGISTERED WITH THE CFTC**

22. In connection with the offer of investments in the Starter, Silver, Gold and Platinum Investment Plans, Respondent Swiftminex is misrepresenting that it is registered as a Futures Commission Merchant and a Retail Foreign Exchange Dealer with the CFTC, and this misrepresentation constitutes a misrepresentation of a relevant fact.

**FRAUD AND THE REPRESENTATIONS THAT
RESPONDENT SWIFTMINEX IS A MEMBER OF THE NFA**

23. In connection with the offer of investments in the Starter, Silver, Gold and Platinum Investment Plans, Respondent Swiftminex is misrepresenting that it is a member of the NFA with a membership number of 0339678 and this statement constitutes a misrepresentation of a relevant fact.

**DECEPTION AND REPRESENTATIONS THAT
RESPONDENT SWIFTMINEX IS OPERATING AS A TEXAS BUSINESS IN HOUSTON**

24. Respondent Swiftminex is representing it maintains its office at 4937 Michael Drive, Houston, Texas 77017. This statement is materially misleading or otherwise likely to deceive the public because:
 - A. Respondent Swiftminex has not filed with the Texas Secretary of State and is not authorized to transact business in Texas as a foreign or domestic entity; and
 - B. This address is associated with a residence and not a corporate office, data mining center, or a similar business operation that is capable of providing the services Respondents purport to offer investors.

**DECEPTION AND THE CONCEALMENT
OF THE RISKS ASSOCIATED WITH CRYPTOCURRENCIES**

25. Respondents are representing the investments in the Starter, Silver, Gold and Platinum Investment Plans will return profits regardless of the price of Bitcoin and this statement is materially misleading or otherwise likely to deceive the public because they are not disclosing the risks associated with cryptocurrencies and investments tied to cryptocurrencies, including the following risks:
- A. Governments may adopt legislation or regulations that may negatively impact the use, transfer, exchange, or price of cryptocurrencies;
 - B. Cryptocurrencies are volatile, and the price of a cryptocurrency as it relates to fiat currency may decrease over a short period of time, resulting in significant loss to owners of cryptocurrencies;
 - C. A system or technical failure, or deficient source code, may negatively impact the ability to exchange cryptocurrencies for fiat currencies, as well as the price of cryptocurrencies;
 - D. A hacking incident or malicious attack may negatively impact the price of cryptocurrencies; and
 - E. Cryptocurrencies compete with all other cryptocurrencies, and this competition may negatively impact the price of a specific cryptocurrency.

CONCLUSIONS OF LAW

- 1. The investments in the Starter, Silver, Gold and Platinum Investment Plans are securities as the term is defined by Section 4.A of the Securities Act.
- 2. Respondents are violating Section 7 of the Securities Act by offering securities for sale in Texas at a time when the securities are not registered with the Securities Commissioner.
- 3. Respondents are violating Section 12 of the Securities Act by offering securities for sale in Texas without being registered pursuant to the provisions of Section 12 of the Securities Act.
- 4. Respondents are engaging in fraud in connection with the offer for sale of securities.
- 5. Respondents have made an offer containing statements that are materially misleading or otherwise likely to deceive the public.
- 6. Respondent's conduct, acts, and practices threaten immediate and irreparable public harm.

7. The foregoing violations constitute bases for the issuance of an Emergency Cease and Desist Order pursuant to Section 23-2 of the Securities Act.

ORDER

1. It is therefore ORDERED Respondents immediately CEASE AND DESIST from offering for sale any security in Texas until the security is registered with the Securities Commissioner or is offered pursuant to an exemption from registration under the Securities Act.
2. It is further ORDERED Respondents immediately CEASE AND DESIST from acting as a securities dealer or agent in Texas until Respondents are registered with the Securities Commissioner or is acting pursuant to an exemption from registration under the Securities Act.
3. It is further ORDERED Respondents immediately CEASE AND DESIST from engaging in any fraud in connection with the offer for sale of any security in Texas.
4. It is further ORDERED Respondents immediately CEASE AND DESIST from offering securities in Texas through an offer containing a statement that is materially misleading or otherwise likely to deceive the public.

NOTICE

Pursuant to Section 23-2 of the Texas Securities Act, you may request a hearing before the 31st day after the date you were served with this Order. The request for a hearing must be in writing, directed to the Securities Commissioner, and state the grounds for the request to set aside or modify the Order. Failure to request a hearing will result in the Order becoming final and non-appealable.

You are advised under Section 29.D of the Texas Securities Act that any knowing violation of an order issued by the Securities Commissioner under the authority of Section 23-2 of the Texas Securities Act is a criminal offense punishable by a fine of not more than \$10,000, or imprisonment in the penitentiary for two to ten years, or by both such fine and imprisonment.

SIGNED AND ENTERED by the Securities Commissioner this 8th day of July, 2020.



TRAVIS J. ILES
Securities Commissioner