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Mail: P.O. BOX 13167
AUSTIN, TEXAS 78711-3167

Texas State Securities Board

KENNY KONCABA
MEMBER

ROBERT BELT
MEMBER

Phone: (512) 305-8300
Facsimile: (512) 305-8310

208 E. 10th Street, 5th Floor
Austin, Texas 78701-2407
www.ssb.texas.gov

MELISSA TYROCH
MEMBER

IN THE MATTER OF §
HYPERION TRUST LLC AKA HYPERIONTRUST §
AKA HYPERION MUTUAL TRUST AKA §
HYPERION ASSETS LIMITED AKA HYPERION §
ASSETS MANAGEMENT LIMITED; ROBERTO §
PATRIZIO; ALISIA BRISTON; THOMAS §
MCCLELLAND; AND ROBERT GREENE §

Order No. ENF-21-CDO-1838

Hyperion Trust LLC aka HyperionTrust aka Hyperion Mutual Trust aka Hyperion Assets Limited aka Hyperion Assets Management Limited

Service by certified mail, return receipt requested, addressed to (1) 400 East Pratt Street, 6th Floor, Baltimore, Maryland 21202; and (2) Lange Gasse 15, 4052 Basel, Basel-Stadt, Switzerland.

Roberto Patrizio

Service by certified mail, return receipt requested, addressed to (1) 400 East Pratt Street, 6th Floor, Baltimore, Maryland 21202; and (2) Lange Gasse 15, 4052 Basel, Basel-Stadt, Switzerland.

Alisia Briston

Service by certified mail, return receipt requested, addressed to (1) 400 East Pratt Street, 6th Floor, Baltimore, Maryland 21202; and (2) Lange Gasse 15, 4052 Basel, Basel-Stadt, Switzerland.

Thomas McClelland

Service by certified mail, return receipt requested, addressed to (1) 400 East Pratt Street, 6th Floor, Baltimore, Maryland 21202; and (2) Lange Gasse 15, 4052 Basel, Basel-Stadt, Switzerland.

Robert Greene

Service by certified mail, return receipt requested, addressed to (1) 400 East Pratt Street, 6th Floor, Baltimore, Maryland 21202; and (2) Lange Gasse 15, 4052 Basel, Basel-Stadt, Switzerland.

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 "**Securities Act**").

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

FINDINGS OF FACT

1. Hyperion Trust LLC aka HyperionTrust aka Hyperion Mutual Trust aka Hyperion Assets Limited aka Hyperion Assets Management Limited (hereinafter referred to as "**Respondent Hyperion Trust**") purports to maintain offices at 400 East Pratt Street, 6th Floor, Baltimore, Maryland 21202, and Lange Gasse 15, 4052 Basel, Basel-Stadt, Switzerland and may be served at said addresses.
2. Roberto Patrizio ("**Respondent Patrizio**") is a founder and General Director of Respondent Hyperion Trust and may be served at 400 East Pratt Street, 6th Floor, Baltimore, Maryland 21202, and Lange Gasse 15, 4052 Basel, Basel-Stadt, Switzerland.
3. Alisia Briston ("**Respondent Briston**") is a founder and General Director of Respondent Hyperion Trust and may be served at 400 East Pratt Street, 6th Floor, Baltimore, Maryland 21202, and Lange Gasse 15, 4052 Basel, Basel-Stadt, Switzerland.
4. Thomas McClelland ("**Respondent McClelland**") is the United States Regional Director for Respondent Hyperion Trust and may be served at 400 East Pratt Street, 6th Floor, Baltimore, Maryland 21202, and Lange Gasse 15, 4052 Basel, Basel-Stadt, Switzerland.
5. Robert Greene ("**Respondent Greene**") is an agent of Respondent Hyperion Trust and may be served at 400 East Pratt Street, 6th Floor, Baltimore, Maryland 21202, and Lange Gasse 15, 4052 Basel, Basel-Stadt, Switzerland.

OVERVIEW

6. Respondents Hyperion Trust, Patrizio, Briston, McClelland, and Greene (the "**Respondents**") are engaging in an illegal online scheme to fraudulently sell investments in service packages tied to stock, cryptocurrencies, and foreign exchange trading that purport to pay guaranteed returns on a daily basis.
7. Respondents are concealing material information regarding the principals of Respondent Hyperion Trust, the actual location of the firm, its business plans, and its strategies for earning daily guaranteed profits.
8. To add legitimacy to the scheme, Respondent Hyperion Trust is falsely claiming to be associated with Hyperion Capital Advisors LP, a firm registered as an investment advisor with the United States Securities and Exchange Commission and notice-filed in New York, and also falsely claiming Respondent Hyperion Trust is licensed by the Swiss Financial Market Supervisory Authority ("**FINMA**").

9. The Securities Commissioner is entering this Emergency Cease and Desist Order to stop the illegal and fraudulent securities offering and protect Texans from immediate and irreparable harm.

THE INVESTMENT PACKAGES

10. Respondent Hyperion Trust is publishing advertisements in the financial services sections of Craigslist targeting residents of San Antonio and Houston, as well as residents of other cities located in the United States.
11. These advertisements are promoting personalized investments that earn returns of at least 1% per day.
12. The advertisements are directing potential investors to <https://hyperiontrust.com> (the "**Hyperion Trust Website**"), a website maintained by Respondent Hyperion Trust.
13. The Hyperion Trust Website is promoting the sale of Service Packages. Investments in the Service Packages are tied to cryptocurrency, stock, and foreign exchange trading.
14. The Hyperion Trust Website is referring to the Service Packages as the Gold Service Package, the Platinum Service Package, and the Sapphire Service Package, and it is describing investments in the Service Packages as follows:
 - A. Investors can purchase investments in the Gold Service Package for a minimum of \$1,000 up to a maximum of \$29,999 and earn a 1.3% daily return over a term of four months;
 - B. Investors can purchase investments in the Platinum Service Package for a minimum of \$30,000 up to a maximum of \$99,000 and earn a 1.4% daily return over a term of six months; and
 - C. Investors can purchase investments in the Sapphire Service Package for a minimum of \$100,000 up to a maximum of \$500,000 and earn a 1.45% daily return over a term of eight months.
15. The Hyperion Trust Website is also representing investors receive a 5% "referral bonus" and "weekly payout[s]."

THE SOLICITATIONS

16. Respondents are collectively representing the following:
 - A. Respondent Hyperion Trust is an established firm based in Switzerland with a United States office located in Baltimore, Maryland, that can provide daily returns for investors;

- B. Respondent Hyperion Trust will use investor funds to invest in cryptocurrency, stock, and foreign exchange trading on behalf of investors using an automated platform that will generate guaranteed daily returns to investors; and
- C. Investors can withdraw returns on their principal investment at any time and will receive the return of their principal at the end of their contract term.

THE FALSE CLAIMS OF ASSOCIATION WITH A REGISTERED U.S. FIRM

- 17. Respondents are also representing they invest in stocks, the investments in stocks buffer and offset any losses derived from cryptocurrency trading, and this strategy ensures the payment of constant rates of return.
- 18. As part of the strategy, Respondents claim they are affiliated with a company in New York, the New York firm manages Respondent Hyperion Trust's stocks and foreign exchange investments, and together Respondent Hyperion Trust and this New York firm manage a hedge fund.
- 19. Respondents are identifying the company as Hyperion Capital Advisors LP (CRD No. 304230/SEC No. 801-117715) and providing registration and filing records from the Financial Industry Regulatory Authority, Inc. ("**FINRA**") to add legitimacy to the claim.
- 20. Although Respondents are representing they are affiliated and manage a hedge fund with Hyperion Capital Advisors LP, in truth and in fact Respondent Hyperion Trust is not affiliated and does not manage a hedge fund with Hyperion Capital Advisors LP.

THE FALSE CLAIMS OF SWISS REGISTRATION

- 21. Respondents represent Respondent Hyperion Trust is a subsidiary of a Swiss company, Petrus AG, and Petrus AG is an authorized securities firm registered with and regulated by FINMA.
- 22. Respondents further represent Respondent Hyperion Trust is an authorized and licensed asset management company registered with FINMA.
- 23. Although Respondents claim affiliation with a FINMA authorized firm, Petrus AG, as well as authorization and licensure of Respondent Hyperion Trust itself, in truth and fact Respondent Hyperion Trust is not authorized or licensed by FINMA and Petrus AG is likewise not authorized or regulated by FINMA.

THE PHONY MARYLAND ADDRESS

- 24. The Hyperion Trust Website represents its United States address is 400 East Pratt Street, 6th Floor, Baltimore, Maryland 21202. There is no business with the name Hyperion Trust LLC, HyperionTrust, Hyperion Mutual Trust, Hyperion Assets Limited, or Hyperion Assets Management Limited located at such address.

25. Although Respondents claim to maintain an office in Baltimore, Maryland, Respondent Hyperion Trust has not filed for incorporation or organization with the Maryland Department of Assessments and Taxation and has not been authorized to transact business in Maryland as a domestic or foreign entity.

SECURITIES REGISTRATION VIOLATIONS

26. Respondents have not been registered with the Securities Commissioner as dealers or agents at any time material hereto.
27. The investments in the Service Packages have not been registered by qualification, notification, or coordination and no permit has been granted for their sale in Texas.

FRAUD RELATED TO FALSE CLAIMS OF AFFILIATION WITH REGISTERED FIRMS

28. As described herein, in connection with the offer of these investments in the Service Packages, Respondents falsely claim Respondent Hyperion Trust is affiliated with New York investment advisory firm, Hyperion Capital Advisors LP. These false statements constitute knowing misrepresentations of relevant facts.
29. As described herein, in connection with the offer of these investments in the Service Packages, Respondents falsely claim Respondent Hyperion Trust is authorized and licensed by FINMA. These false statements constitute knowing misrepresentations of relevant facts.
30. As described herein, in connection with the offer of these investments in the Service Packages, Respondents falsely claim its parent company, Petrus AG, is regulated by FINMA and is a securities firm authorized by FINMA. These false statements constitute knowing misrepresentations of relevant facts.

FRAUD AND DECEPTION RELATED TO LOCATION

31. As described herein, in connection with the offer of these investments in the Service Packages, Respondents represent Respondent Hyperion Trust maintains an office located at 400 East Pratt Street in Baltimore, Maryland. This statement constitutes the knowing misrepresentation of a relevant fact, because:
- A. No business with the name Hyperion Trust LLC, HyperionTrust, Hyperion Mutual Trust, Hyperion Assets Limited, or Hyperion Assets Management Limited exists at such location; and
 - B. Respondent Hyperion Trust has not filed for incorporation or organization with the Maryland Department of Assessments and Taxation and has not been authorized to transact business in Maryland as a domestic or foreign entity.

32. In connection with the offer of these investments in the Service Packages, Respondents are intentionally failing to disclose the United States address and physical location of Respondent Hyperion Trust, and this information constitutes a material fact.
33. This statement regarding Respondent Hyperion Trust's Maryland address is materially misleading or otherwise likely to deceive the public, because Respondent Hyperion Trust:
 - A. Does not maintain an office located at 400 East Pratt Street in Baltimore, Maryland; and
 - B. Has not filed for incorporation or organization with the Maryland Department of Assessments and Taxation and has not been authorized to transact business in Maryland as a domestic or foreign entity.

FRAUD RELATED TO PRINCIPALS

34. In connection with the offer of the investments in the Service Packages, Respondents are intentionally failing to disclose the following material facts:
 - A. The identity of the principals of Respondent Hyperion Trust; and
 - B. The business repute and qualifications of the principals of Respondent Hyperion Trust.

FRAUD RELATED TO BUSINESS OPERATIONS

35. In connection with the offer of these investments in the Service Packages, Respondents are intentionally failing to disclose the following material facts related to Respondent Hyperion Trust's business operations:
 - A. Details regarding Respondent Hyperion Trust's automated strategy for generating promised daily returns;
 - B. Respondent Hyperion Trust's assets, liabilities, and any other financial information reflecting its ability to pay promised daily returns to investors; and
 - C. Identifying information for "the team of certified Financial Experts" Respondent Hyperion Trust relies upon to create returns for investors.

FRAUD AND THE RISKS ASSOCIATED WITH FOREX TRADING

36. In connection with the offer of investments in the Service Packages, Respondents are intentionally failing to disclose the following risks associated with trading forex, and these risks constitute material facts:

- A. Fluctuations in a country's interest rates may lead to fluctuations in a currency's value, thereby negatively impacting the ability to close a trade for a profit;
- B. Fluctuations in the foreign exchange rate between the time of placing a trade and the time of closing a trade may negatively impact the price of a forex contract;
- C. A system or technical failure in a platform for executing trades may negatively impact the ability to close a trade for a profit;
- D. Leveraging transactions on margin, once called, may lead to substantial losses in excess of initial investments; and
- E. The fees associated with trading foreign currencies.

CONCLUSIONS OF LAW

1. The investments in the Service Packages 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 are making offers containing statements that are materially misleading or otherwise likely to deceive the public.
6. Respondents' 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 securities dealers or agents in Texas until Respondents are registered

with the Securities Commissioner or are 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 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 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 29th day of April, 2021.



TRAVIS J. ILES
Securities Commissioner