

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 92140 / June 10, 2021

ADMINISTRATIVE PROCEEDING
File No. 3-16941

In the Matter of	:	
Scott A. Doak,	:	
Respondent.	:	
	:	
	:	
	:	ORDER ESTABLISHING A FAIR FUND

On November 4, 2015, the Commission issued an Order Instituting Administrative and Cease-and-Desist Proceedings Pursuant to Section 8A of the Securities Act of 1933, Section 21C of the Securities Exchange Act of 1934, Sections 203(f) and 203(k) of the Investment Advisers Act of 1940, and Section 9(b) of the Investment Company Act of 1940, Making Findings, and Imposing Remedial Sanctions and a Cease-and-Desist Order (the “Order”)¹ against Respondent. In the Order, the Commission found that, from at least 2010 through 2014, William M. Apostelos (“Apostelos”) and companies he controlled violated the registration and anti-fraud provisions of the federal securities laws by conducting fraudulent, unregistered offers of securities and misappropriating investor funds to pay earlier investors and promoters, finance other businesses he and his wife owned, and pay his personal expenses. Doak, an emergency medicine physician, became a client of Apostelos no later than 2007. According to the Order, in early 2013, Doak, Apostelos, and other individuals began operating OVO Wealth Management, LLC (“OVO”), a state-registered investment adviser. After approximately a year of operations, OVO was wound down, and Doak made oral and written misrepresentations and omissions to OVO clients to induce them to transfer their advisory accounts to investments controlled by Apostelos.

The Order found that Doak violated the registration provisions of the federal securities laws by offering and selling securities issued by entities controlled by Apostelos. Doak and OVO also violated the anti-fraud provisions of the federal securities laws by making misrepresentations and omissions while advising OVO clients to invest their advisory accounts in investments controlled by Apostelos. Through the same conduct, Doak aided and abetted and caused the violations of Apostelos and OVO.

¹ Securities Act Rel. No. 9976 (Nov. 4, 2015).

The Commission ordered Respondent to pay disgorgement of \$86,833.34, prejudgment interest of \$2,874.44, and civil penalties of \$160,000.00, for a total of \$249,707.78, to the Commission, pending a decision whether the Commission would seek to distribute funds or transfer them to the U.S. Treasury.

Respondent has paid in full. The Commission currently holds the \$249,707.78 paid by Respondent in an interest-bearing account at U.S. Department of the Treasury's Bureau of the Fiscal Service.

The Division of Enforcement recommends that a Fair Fund be established, pursuant to Section 308(a) of the Sarbanes-Oxley Act of 2002, so that the civil money penalty paid, along with the disgorgement and prejudgment interest paid, can be distributed to harmed investors.

Accordingly, IT IS HEREBY ORDERED, that pursuant to Section 308(a) of the Sarbanes-Oxley Act of 2002, a Fair Fund is established so that the civil money penalty paid, along with the disgorgement and prejudgment interest paid, can be distributed to harmed investors.

By the Commission.

Vanessa A. Countryman
Secretary