

**STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
CORPORATIONS, SECURITIES & COMMERCIAL LICENSING BUREAU**

In the matters of:

SIGMA ADVANTAGE INVESTMENTS, LLC
Unregistered

Complaint No. 332020

and

ROBERT J. SLOMA
Unregistered

Complaint No. 332019

Respondents.

_____ /

Issued and entered
This 5th day of October, 2017

**CONSENT ORDER WITHDRAWING HEARING REQUEST AND ALLOWING
FINAL ORDERS TO ENTER**

A. Relevant information and statutory provisions, under the Michigan Uniform Securities Act (2002) (the Act), 2008 PA 551, MCL 451.2101 *et seq.*:

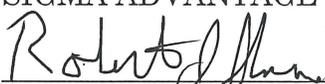
1. On July 10, 2017, the State of Michigan, Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau (the "Bureau") and the Director of the Bureau who serves as the Administrator of the Act (the Administrator) issued a Notice and Order to Cease and Desist to Robert J. Sloma, and also issued a Notice of Intent to Deny Investment Adviser Registration Application to Sigma Advantage Investments, LLC.
2. Neither Sigma nor Sloma are currently registered under the Act.
3. Sigma and Sloma neither admit nor deny any of the allegations July 10, 2017 Orders, and agree to entry of this Consent Order only for the purpose of resolving those orders.

B. AGREEMENT PROVISIONS

Sigma, Sloma, and the Administrator (collectively, "the Parties") agree that the two July 10, 2017 Orders will be resolved with the following conditions:

1. Sigma and Sloma agree that they will withdraw their requests for administrative hearings regarding the two July 10, 2017 orders, and allow those orders to become Final Orders under the Act.
2. The Administrator agrees to waive all fines in the two July 10, 2017 orders, and there will be no fines in the Final Order.
3. Sigma and Sloma understand and intend that by signing this Consent Order, they are waiving the right, pursuant to the Act, the rules promulgated under that Act and the Uniform Securities Act (Predecessor Act), 1964 PA 265, MCL 451.501 *et seq.*, and the Administrative Procedures Act, 1969 PA 306, MCL 24.201 *et seq.*, to prior notice and a hearing before an administrative law judge, at which the Bureau would be required to defend any disciplinary action taken under Section 604 (6) of the Act, MCL 451.2604, by presentation of evidence and legal authority and at which Sigma and Sloma would be entitled to appear with or without an attorney to cross-examine all witnesses presented by the Bureau and to present such testimony or other evidence or legal authority deemed appropriate.

Through their signatures, the Parties agree to the above terms and conditions.

Dated: <u>9/26/2017</u>	Signed: <u></u> SIGMA ADVANTAGE INVESTMENTS
Dated: <u>9/26/2017</u>	Signed: <u></u> ROBERT J. SLOMA

Approved by:

Dated: _____	Signed: _____ Timothy L. Teague Securities & Audit Division Director Corporations, Securities & Commercial Licensing Bureau
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Through their signatures, the Parties agree to the above terms and conditions.

Dated: _____

Signed: _____

SIGMA ADVANTAGE INVESTMENTS

Dated: _____

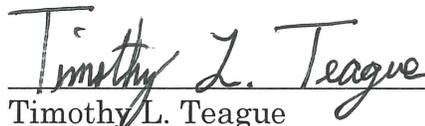
Signed: _____

ROBERT J. SLOMA

Approved by:

Dated: 9.26.17

Signed: _____



Timothy L. Teague
Securities & Audit Division Director
Corporations, Securities & Commercial
Licensing Bureau

C. ORDER

The Administrator NOW, THEREFORE, ORDERS:

THE TERMS AND CONDITIONS IN THIS CONSENT ORDER ARE BINDING AND EFFECTIVE, IN ACCORD WITH THE FULLY EXECUTED STIPULATION CONTAINED HEREIN.



Julia Dale, Administrator and Corporations, Securities & Commercial Licensing
Bureau Director

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
CORPORATIONS, SECURITIES & COMMERCIAL LICENSING BUREAU

In the Matter of:

Complaint No. 332020

ROBERT J. SLOMA
CRD# 5561298

Respondent.

Issued and entered
This 10th day of July, 2017

NOTICE AND ORDER TO CEASE AND DESIST

Julia Dale, the Director of the Corporations, Securities & Commercial Licensing Bureau (the "Administrator"), pursuant to her statutory authority and responsibility to administer and enforce the Michigan Uniform Securities Act (2002), 2008 PA 551, as amended, MCL 451.2101 *et seq* ("Securities Act"), hereby orders Robert J. Sloma ("Respondent") to cease and desist from operating as an unregistered investment adviser representative, contrary to the Securities Act. Respondent is also notified of the opportunity to request a hearing in this matter.

I. BACKGROUND

A. The Respondent

1. Respondent Robert J. Sloma (CRD#5561298) is an individual who has been registered in multiple capacities pursuant to the Securities Act, beginning in or around 2008. Respondent was most recently registered as an investment adviser representative of the investment adviser firm Sigma Advantage Investments, LLC (IARD#153346) ("Sigma") until on or around January 1, 2017 when the firm failed to renew its investment adviser registration. Sigma's failure to renew its registration as an investment adviser caused Respondent's associated investment adviser representative registration to lapse as well. Respondent is the sole member of Sigma and its principal responsible for compliance.

B. Findings of Fact

1. The Bureau conducted an investigation of Respondent's Activities.

2. The Bureau's investigation developed evidence that Respondent was employed by or associated with Sigma both before and after January 1, 2017, and that Respondent's registration lapsed along with Sigma's when the firm failed to renew its registration by December 31, 2016.
3. Respondent, through Sigma, continued to advise clients as to their investment portfolios for compensation in the first quarter of 2017, despite the fact that Respondent was not properly registered to engage in those advising activities.

II. RELEVANT STATUTORY PROVISIONS

1. Section 102(e) of the Securities Act, MCL 451.2102(e) defines "investment adviser representative", in part, as:

"Investment adviser representative" means an individual employed by or associated with an investment adviser or federal covered investment adviser and who makes any recommendations or otherwise gives investment advice regarding securities, manages accounts or portfolios of clients, determines which recommendation or advice regarding securities should be given, provides investment advice or holds himself or herself out as providing investment advice, receives compensation to solicit, offer, or negotiate for the sale of or for selling investment advice, or supervises employees who perform any of the foregoing...

2. Section 404(1) of the Securities Act, MCL 451.2404(1), states:

An individual shall not transact business in this state as an investment adviser representative unless the individual is registered under this act as an investment adviser representative or is exempt from registration as an investment adviser representative under subsection (2).

3. Section 503(1) of the Securities Act, MCL 451.2503(1), states:

In a civil action or administrative proceeding under this act, a person claiming an exemption, exception, preemption, or exclusion has the burden to prove the applicability of the exemption, exception, preemption, or exclusions.

III. CONCLUSIONS OF LAW

1. Respondent Robert J. Sloma acted as an investment adviser representative on behalf of Sigma Advantage Investments, LLC, an unregistered investment adviser, without the benefit of registration or a properly claimed exemption from

registration, in violation of section 404(1) of the Securities Act, MCL 451.2404(1).

IV. ORDER

IT IS THEREFORE ORDERED, pursuant to section 604 of the Securities Act, MCL 451.2604, that:

- A. Respondent shall immediately CEASE AND DESIST from acting as an unregistered investment adviser representative, contrary to the Securities Act.
- B. Pursuant to section 604(2) of the Securities Act, this Notice and Order to Cease and Desist is IMMEDIATELY EFFECTIVE.
- C. In her Final Order, the Administrator, under section 604(4) of the Securities Act, MCL 451.2604(4), intends to impose a civil fine of \$10,000.00 against Respondent.
- D. Pursuant to section 508 of the Securities Act, MCL 451.2508, a person that willfully violates the Securities Act, or an order issued under the Securities Act, is guilty of a felony punishable by imprisonment for not more than 10 years or a fine of not more than \$500,000.00 for each violation, or both. An individual convicted of violating a rule or order under this act may be fined, but shall not be imprisoned, if the individual did not have knowledge of the rule or order.

V. NOTICE OF OPPORTUNITY FOR HEARING

Section 604 of the Securities Act, MCL 451.2604, provides that Respondent has 30 days beginning with the first day after the date of service of this Notice and Order to Cease and Desist to submit a written request to the Administrator asking that this matter be scheduled for a hearing. If the Administrator receives a written request in a timely manner, the Administrator shall schedule a hearing within 15 days after receipt of the request. The written request for a hearing must be addressed to:

Corporations, Securities & Commercial Licensing Bureau
Regulatory Compliance Division
P.O. Box 30018
Lansing, MI 48909

VI. ORDER FINAL ABSENT HEARING REQUEST

- A. Under section 604 of the Securities Act, MCL 451.2604, the Respondent's failure to submit a written request for a hearing to the Administrator within 30 days after the service date of this **NOTICE AND ORDER TO CEASE AND DESIST** shall result

Notice & Order to Cease & Desist
Robert J. Sloma
CRD# 5561298
Complaint No. 332020

in this order becoming a **FINAL ORDER** by operation of law. The **FINAL ORDER** includes the imposition of the fines cited described in section IV.C., and the fine amounts set forth below will become due and payable to the Administrator within sixty (60) days after the date this order becomes final:

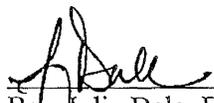
\$10,000.00 – Robert J. Sloma, under section 604 of the Securities Act, MCL 451.2604.

- B. CIVIL FINE payments should be payable to the STATE OF MICHIGAN and contain identifying information (e.g., names and complaint numbers) and mailed to the following address:

Corporations, Securities & Commercial Licensing Bureau
Final Order Monitoring
P.O. Box 30018
Lansing, MI 48909

- C. Failure to comply with the terms of this Order within the time frames specified may result in additional administrative penalties, including the summary suspension or continued suspension of all registrations held by Respondent under the Securities Act, the denial of any registration renewal, and/or the denial of any future applications for registration, until full compliance is made. Respondent may voluntarily surrender or withdraw a registration under the Securities Act; however, the surrender or withdrawal will not negate the summary suspension or continued suspension of the relevant registrations or any additional administrative proceedings if a violation of this Order or the Securities Act occurred.
- D. Failure to pay the civil fines within six (6) months after this Order becomes final may result in the referral of the civil fines to the Michigan Department of Treasury for collection action against Respondents.

CORPORATIONS, SECURITIES & COMMERCIAL LICENSING BUREAU


By: _____
Julia Dale, Director, Corporations, Securities
& Commercial Licensing Bureau

7/10/17
Date _____