

II.

The Commission finds that:

1. From March 2004 through July 2, 2007, Boey was a certified public accountant in Kentucky.
2. On July 3, 2007, a judgment of conviction was entered against Boey in *United States v. Gagalys, et al*, No. 1:04-cr-00126-PB-5, in the United States District Court for the District of New Hampshire, finding him guilty of two counts of securities fraud, one count of falsifying books and records of Enterasys Networks, Inc. (“Enterasys”), a public company, one count of making false statements to auditors of Enterasys, two counts of wire fraud, and one count of conspiracy to commit wire and securities fraud.
3. As a result of this conviction, Boey was sentenced to 36 months imprisonment in a federal penitentiary.

III.

In view of the foregoing, the Commission finds that Boey has been convicted of a felony within the meaning of Rule 102(e)(2) of the Commission’s Rules of Practice.

Accordingly, it is ORDERED, that Hor Chong (David) Boey is forthwith suspended from appearing or practicing before the Commission pursuant to Rule 102(e)(2) of the Commission’s Rules of Practice.

By the Commission.

Nancy M. Morris
Secretary