

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 58293 / August 1, 2008

INVESTMENT ADVISERS ACT OF 1940
Release No. 2766 / August 1, 2008

ADMINISTRATIVE PROCEEDING
File No. 3-13113

In the Matter of

GORDON R. MOORE,

Respondent.

**ORDER INSTITUTING
ADMINISTRATIVE PROCEEDINGS
PURSUANT TO SECTION 15(b) OF THE
SECURITIES EXCHANGE ACT OF 1934
AND SECTION 203(f) OF THE
INVESTMENT ADVISERS ACT OF 1940,
MAKING FINDINGS, AND IMPOSING
REMEDIAL SANCTIONS**

I.

The Securities and Exchange Commission (“Commission”) deems it appropriate and in the public interest that public administrative proceedings be, and hereby are, instituted pursuant to Section 15(b) of the Securities Exchange Act of 1934 (“Exchange Act”) and Section 203(f) of the Investment Advisers Act of 1940 (“Advisers Act”) against Gordon R. Moore (“Respondent” or “Moore”).

II.

In anticipation of the institution of these proceedings, Respondent has submitted an Offer of Settlement (the “Offer”) which the Commission has determined to accept. Solely for the purpose of these proceedings and any other proceedings brought by or on behalf of the Commission, or to which the Commission is a party, and without admitting or denying the findings herein, except as to the Commission’s jurisdiction over him and the subject matter of these proceedings, and the findings contained in Section III.2 below, which are admitted, Respondent consents to the entry of this Order Instituting Administrative Proceedings Pursuant to Section 15(b)

of the Securities Exchange Act of 1934 and Section 203(f) of the Investment Advisers Act of 1940, Making Findings, and Imposing Remedial Sanctions (“Order”), as set forth below.

III.

On the basis of this Order and Respondent’s Offer, the Commission finds that:

1. Moore was a registered representative with AXA Advisors, LLC (“AXA”) from June 1, 2001 through July 23, 2007 until he resigned in connection with an investigation by the Colorado Attorney General’s office into his conduct. AXA registered with the Commission as a broker-dealer in 1974 and as an investment adviser in 1978. Moore operated an office in Longmont, Colorado and was supervised by an AXA branch office in Denver, Colorado. Moore, 30 years old, is a resident of Longmont.

2. On August 24, 2007, in Case No. 07CR10369 in the District Court for the City and County of Denver, Moore was charged with forty-five felony counts of securities fraud, theft, computer crime, criminal impersonation, forgery, and attempt to influence a public official. On January 8, 2008, Moore pled guilty to one count each of three class three felonies: securities fraud, theft, and computer crime. On February 26, 2008, Moore was sentenced to two years probation and ordered to pay criminal restitution in an amount based on the commissions he earned from his fraudulent activities.

3. The counts of the criminal indictment to which Moore pled guilty alleged, inter alia, that Moore fraudulently induced many investors, the majority of whom were current teachers in Colorado public schools, to consent to rollover their retirement investments from their Colorado Public Employees’ Association (“PERA”) 401(k) accounts into new AXA 403(b) accounts during the period July 2004 through June 2007. Moore misrepresented the PERA rollover rules to investors and induced them to sign documents which he later falsified. Moore fraudulently induced approximately \$1,665,166 worth of direct customer rollovers into AXA’s 403(b) plan using this scheme.

IV.

In view of the foregoing, the Commission deems it appropriate and in the public interest to impose the sanctions agreed to in Respondent Moore’s Offer.

Accordingly, it is hereby ORDERED:

Pursuant to Section 15(b)(6) of the Exchange Act and Section 203(f) of the Advisers Act, that Respondent Moore be, and hereby is barred from association with any broker, dealer, or investment adviser;

Any reapplication for association by the Respondent will be subject to the applicable laws and regulations governing the reentry process, and reentry may be conditioned upon a number of factors, including, but not limited to, the satisfaction of any or all of the following: (a) any

disgorgement ordered against the Respondent, whether or not the Commission has fully or partially waived payment of such disgorgement; (b) any arbitration award related to the conduct that served as the basis for the Commission order; (c) any self-regulatory organization arbitration award to a customer, whether or not related to the conduct that served as the basis for the Commission order; and (d) any restitution order by a self-regulatory organization, whether or not related to the conduct that served as the basis for the Commission order.

By the Commission.

Florence E. Harmon
Acting Secretary