

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

INVESTMENT ADVISERS ACT OF 1940
Release No. 3414 / June 5, 2012

ADMINISTRATIVE PROCEEDING
File No. 3-14713

ORDER MAKING FINDINGS AND
IMPOSING REMEDIAL SANCTIONS

In the Matter of

TIMOTHY J. CLYMAN,

Respondent.

I.

The Securities and Exchange Commission (“Commission”) instituted administrative proceedings against Timothy J. Clyman (“Respondent”) pursuant to Section 203(f) of the Investment Advisers Act of 1940 (“Advisers Act”) on January 25, 2012. *See* Investment Advisers Release No. 3361 (January 25, 2012).

II.

To resolve this proceeding, 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 Making Findings and Imposing Remedial Sanctions, as set forth below.

III.

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

1. Clyman is a resident of California. He was a managing member of Seaforth Meridian, Seaforth Management and Seaforth Advisors. Seaforth Advisors was an investment adviser to Seaforth Meridian.

2. On December 2, 2011, a final judgment was entered against Clyman, permanently enjoining him from future violations of Section 17(a) of the Securities Act of 1933 ("Securities Act"), and Section 10(b) of the Securities Exchange Act of 1934 ("Exchange Act") and Rule 10b-5 thereunder, in the civil action entitled Securities and Exchange Commission v. Seaforth Meridian, et al., Civil Action Number 5:06-CV-4107-RDR, in the United States District Court for the District of Kansas.

3. The Commission's complaint alleged the Seaforth Principals, including Clyman, fraudulently raised approximately \$18 million from nearly 70 - mostly elderly - investors located in several states. The Seaforth Principals enticed investors to purchase limited partnership interests in Seaforth Meridian with offering materials and oral representations that falsely represented and omitted material information regarding investment strategies and risk of loss, the financial controls over investor funds, and the background, experience, and expertise of the Seaforth Principals. Specifically, the Commission alleged that the Seaforth Principals misled investors about the supposed conservative nature of the Seaforth Meridian investment strategy while, in fact, sending almost 75% of the funds raised to two highly suspect, offshore funds. The Commission also alleged that the Seaforth Principals funneled more than \$600,000 to themselves without having adequately accounted for Seaforth Meridian's profits or losses. Further, the Seaforth Principals lulled investors with false monthly account statements and reports that emphasized the safety of the investor funds.

IV.

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

Accordingly, it is hereby ORDERED pursuant to Section 203(f) of the Advisers Act that Respondent Clyman be, and hereby is:

barred from association with any broker, dealer, investment adviser, municipal securities dealer, municipal advisor, transfer agent, or nationally recognized statistical rating organization.

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.

Elizabeth M. Murphy
Secretary