

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

INVESTMENT ADVISERS ACT OF 1940
Release No. 2986 / February 22, 2010

ADMINISTRATIVE PROCEEDING
File No. 3-13788

In the Matter of

MARK J. HARRINGTON,

Respondent.

**ORDER INSTITUTING
ADMINISTRATIVE PROCEEDINGS
PURSUANT TO 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 203(f) of the Investment Advisers Act of 1940 (“Advisers Act”) against Mark J. Harrington (“Harrington” or “Respondent”).

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 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. From at least August 2000 to January 2009, Harrington served as a vice president and controller of Anchor Capital Advisors, LLC ("Anchor"), an investment adviser registered with the Commission.

2. On April 14, 2009, Harrington pled guilty to ERISA Theft and Embezzlement in violation of Title 18 of the United States Code, Section 664, before the United States District Court for the District of Massachusetts, in United States v. Mark J. Harrington, Criminal No. 09-10086-PBS. On July 23, 2009, a judgment in a criminal case was entered against Harrington. He was sentenced to 24 months imprisonment followed by 24 months of supervised release and ordered to make restitution in the amount of \$349,887.04.

3. The count of the criminal information to which Harrington pled guilty alleged, inter alia, that Harrington embezzled, stole, and unlawfully and willfully converted approximately \$368,711.70, which belonged to Anchor's 401(k) Profit Sharing and Retirement Plan, an employee pension benefit plan and a fund connected with an employee pension benefit plan subject to Title I of the Employee Retirement Income Security Act of 1974.

IV.

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

Accordingly, it is hereby ORDERED:

Pursuant to Section 203(f) of the Advisers Act, that Respondent Harrington be, and hereby is barred from association with any 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.

Elizabeth M. Murphy
Secretary