

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 75652 / August 10, 2015

ADMINISTRATIVE PROCEEDING
File No. 3-16734

In the Matter of

GEORGE BUSSANICH, JR.,

Respondent.

ORDER INSTITUTING
ADMINISTRATIVE PROCEEDINGS
PURSUANT TO SECTION 15(b)(6) OF
THE SECURITIES EXCHANGE ACT OF
1934 AND NOTICE OF HEARING

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)(6) of the Securities Exchange Act of 1934 (“Exchange Act”) against George Bussanich, Jr. (“Respondent” or “Bussanich”).

II.

After an investigation, the Division of Enforcement alleges that:

A. RESPONDENT

1. George Bussanich, Jr. (“Bussanich”), age 35, resides in Upper Saddle River, New Jersey. From October 4, 2006, through December 31, 2011, Bussanich was a registered representative for Kovack Securities, Inc. (“Kovack”), a registered broker-dealer at the time of the misconduct. From in or about March 2009 through in or about July 2013, Bussanich offered and sold securities of Metropolitan Ambulatory Surgical Center, LLC (“MASC”), a New Jersey entity wholly-owned by Bussanich’s father.

B. ENTRY OF THE INJUNCTION

2. On August 1, 2014, the Superior Court of New Jersey, Essex County entered a final judgment by consent, in the civil action brought by the New Jersey Bureau of Securities ("NJBOS"), entitled Hoffman v. Bussanich et al., Docket No. ESX-C-277-13 (Sup. Ct. N.J., Aug. 1, 2014) (the "Consent Judgment"). The Consent Judgment permanently enjoined Bussanich from: (1) violating the New Jersey Uniform Securities Law ("NJSA"), including its anti-fraud provisions; (2) acting in the securities business in New Jersey as an agent, broker-dealer, investment adviser or investment adviser representative, as such terms are defined by the NJSA; (3) issuing, offering for sale or selling, offering to purchase or purchasing, distributing, promoting, advertising, soliciting, negotiating, advancing the sale of and/or promoting securities, or advising regarding the sale of any securities in any manner to, from or within New Jersey, except to buy or sell securities for their own accounts through registered broker-dealers; (4) engaging in the conduct set forth in the NJBOS complaint and (5) controlling and acting as an officer and/or director of an issuer offering for sale or selling any security.

3. The NJBOS complaint alleged that, from in or about March 2009 through in or about July 2013, in connection with the unregistered offer and sale of promissory notes and investment contracts, Bussanich made materially false and/or misleading statements to investors, and misused investor funds that had been deposited in the MASC account and commingled there with other funds, for his personal benefit and for other unauthorized purposes.

III.

In view of the allegations made by the Division of Enforcement, the Commission deems it necessary and appropriate in the public interest that public administrative proceedings be instituted to determine:

A. Whether the allegations set forth in Section II hereof are true and, in connection therewith, to afford Respondent an opportunity to establish any defenses to such allegations; and

B. What, if any, remedial action is appropriate in the public interest against Respondent pursuant to Section 15(b) (6) of the Exchange Act.

IV.

IT IS ORDERED that a public hearing for the purpose of taking evidence on the questions set forth in Section III hereof shall be convened at a time and place to be fixed, and before an Administrative Law Judge to be designated by further order as provided by Rule 110 of the Commission's Rules of Practice, 17 C.F.R. § 201.110.

IT IS FURTHER ORDERED that Respondent shall file an Answer to the allegations contained in this Order within twenty (20) days after service of this Order, as provided by Rule 220 of the Commission's Rules of Practice, 17 C.F.R. § 201.220.

If Respondent fails to file the directed answer, or fails to appear at a hearing after being duly notified, the Respondent may be deemed in default and the proceedings may be determined against him upon consideration of this Order, the allegations of which may be deemed to be true as provided by Rules 155(a), 220(f), 221(f) and 310 of the Commission's Rules of Practice, 17 C.F.R. §§ 201.155(a), 201.220(f), 201.221(f) and 201.310.

This Order shall be served forthwith upon Respondent as provided for in the Commission's Rules of Practice.

IT IS FURTHER ORDERED that the Administrative Law Judge shall issue an initial decision no later than 210 days from the date of service of this Order, pursuant to Rule 360(a)(2) of the Commission's Rules of Practice.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision of this matter, except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of Section 551 of the Administrative Procedure Act, it is not deemed subject to the provisions of Section 553 delaying the effective date of any final Commission action.

By the Commission.

Brent J. Fields
Secretary