

1 STATE OF ALASKA  
2 DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT  
3 DIVISION OF BANKING AND SECURITIES

4 IN THE MATTER OF: )  
5 TYCOON TRADING, LLC; AND ) **ORDER NO. 22-87-S**  
6 GARRETT A. ELDER ) **THIRD INTERIM TEMPORARY CEASE**  
7 ) **AND DESIST ORDER, ASSESSING**  
8 Respondents ) **CIVIL PENALTIES, ORDERING**  
9 ) **RESTITUTION, & EFFECTIVE**  
10 ) **IMMEDIATELY**

10 The Director of the Department of Commerce, Community, and Economic  
11 Development, Division of Banking and Securities (“Administrator”), has conducted an  
12 investigation into certain activities of Tycoon Trading, LLC and Garrett A. Elder  
13 (collectively “Respondents”) and has determined that Respondents violated certain provisions  
14 of the Alaska Securities Act, Alaska Statute (“AS”) 45.56 *et seq.* This Third Interim Order  
15 replaces and supersedes the Interim Order entered in this matter number on October 14, 2022.

16 **I. FINDINGS OF FACT**

17 1. Tycoon Trading, LLC (“Tycoon Trading”) organized as an Alaska limited liability  
18 company on September 8, 2012 (entity no. 10007162), and has an address of 7120 Old  
19 Seward Highway, Suite 205, Anchorage, Alaska.

20 2. Garrett A. Elder is a resident of Anchorage, Alaska and is the sole owner of  
21 Tycoon Trading, LLC.

22 3. On September 22, 2022, the Administrator sent a letter to Respondents requesting  
23 information regarding their business activities.

24 4. Beginning on October 3, 2022, the Administrator received information from or  
on behalf of ninety-one investors indicating that from at least 2017 through September of

1 2022 (the “Relevant Period”), Respondent Elder offered and sold securities in the form of  
2 participation in profit sharing agreements, investment contracts, and speculative trading in  
3 foreign currencies to Alaska residents through his business Respondent Tycoon Trading LLC.  
4 Investors would deposit money with Respondents based on Respondents’ assertions that  
5 Respondent Elder would use his expertise to further invest investor’s funds for a profit. The  
6 investment contracts signed by or on behalf of investors required splitting the profits between  
7 the investor and respondents. The cumulative amount invested was \$14,439,086.00 (Fourteen  
8 Million Four Hundred Thirty Nine Thousand Eight Six Dollars and no/100). Investments  
9 were made by or on behalf of Alaskans aged 6 to 63. The Division has information that there  
10 may be many more investors with significantly more money invested.

11 5. During the Relevant Period, Respondent Elder managed and traded assets held in  
12 a common pooled vehicle by executing various securities transactions without being  
13 registered as an investment adviser representative as required by AS 45.56.350(a).

14 6. During the Relevant Period, Respondent Elder through Tycoon Trading offered  
15 and sold securities in Alaska without being registered as an agent as required by AS  
16 45.56.330(a).

17 7. During the Relevant Period, Respondent Tycoon Trading issued securities in  
18 Alaska that were not registered with the Administrator, federally covered in compliance with  
19 Alaska law, or exempt from registration as required by AS 45.56.100.

20 8. During the Relevant Period, Respondent Tycoon Trading and/or Elder issued  
21 statements to investors reflecting positive earnings on investments. Those statements were  
22 falsified. All or substantially all of the investors’ assets have been dissipated. Despite  
23 repeated attempts, investors have been unable to access their funds.

24 9. During the Relevant Period, Respondent Tycoon Trading was associated with  
Respondent Elder as required by AS 45.56.340(d).



1 8. During the Relevant Period, Respondent Elder acted as an “agent” in Alaska as that  
2 term is defined in AS.56.900(2).

3 9. During the Relevant Period, Respondent Elder violated AS 45.56.330(a) by acting  
4 as an agent without being registered in Alaska.

5 10. During the Relevant Period, Respondent Tycoon Trading violated AS 45.56.340(a)  
6 by acting as an investment adviser without being registered in Alaska.

7 11. During the Relevant Period, Respondent Tycoon Trading violated AS 45.56.340(d)  
8 by associating with Respondent Elder without him being registered in Alaska.

9 **III. ORDER**

10 Pursuant to AS 45.56 and on the basis of the Findings of Fact and Conclusions of  
11 Law, the Administrator ORDERS:

12 1. Respondents to pay RESTITUTION to their victims in the principal amount  
13 invested, currently \$14,439,086.00, plus interest at the rate of 8% per annum, together with  
14 such other and further amounts as may be revealed in the Division’s ongoing investigation.

15 2. Respondents to pay a CIVIL PENALTY of \$14,439,086.00 (One Million  
16 Seven Hundred Seventy Seven Thousand Dollars and no/100). This amount is computed at  
17 the average size of the deposits made by Respondents victims, \$82,509.06, multiplied by the  
18 number of deposits (175), and considers the egregiousness of Respondents fraud and the age  
19 of Respondents’ victims. The civil penalty assessed in this paragraph is subordinate to the  
20 payment of restitution to investors in Paragraph 1.

21 3. Respondents to CEASE AND DESIST from offering or selling the profit-sharing  
22 agreements and investment contracts or any security that is not registered, qualified, or  
23 exempt to new investors in Alaska and CEASE AND DESIST accepting further investments  
24 or funds in the profit-sharing agreements and investment contracts by current Alaska  
investors, unless and until the profit-sharing agreements and investment contracts or other

1 securities are registered or otherwise exempt in Alaska.

2 4. Respondent Elder to CEASE AND DESIST from acting as an investment adviser  
3 representative without being registered in Alaska.

4 5. Respondent Elder to CEASE AND DESIST from acting as an agent without being  
5 registered in Alaska.

6 6. Respondent Tycoon Trading to CEASE AND DESIST from acting as an  
7 investment adviser without being registered in Alaska.

8 7. Respondent Tycoon Trading to CEASE AND DESIST from employing  
9 Respondent Elder as an investment adviser representative without Respondent Elder being  
10 registered in Alaska.

11 8. Respondents to comply with all provisions of the Alaska Securities Act, including  
12 associated regulations.

13 9. Pursuant to AS 45.56.690(b), each Respondent desiring a hearing must file a  
14 separate request for a hearing within fifteen (15) days after receipt of this Order. The request  
15 for a hearing must be in writing, must be directed to the Administrator, and must state the  
16 grounds for the request to set aside or modify the Order. This Order takes effect immediately,  
17 remains in effect until ten (10) days after the hearing is held, and becomes final if a hearing is  
18 not requested within fifteen (15) days after the receipt of this notice.

19 This Order is interim in nature and the Division's investigation is ongoing. This  
20 Order is entered on an interim basis to protect the investing public from further harm. This  
21 Order may be supplemented with further orders, including orders assessing civil penalties,  
22 restitution, or other relief. The Division may seek other relief available to it under the Act,  
23 including relief in the Alaska Superior Court. This Order is a publicly disclosable document.

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STATE OF ALASKA  
DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT  
DIVISION OF BANKING AND SECURITIES  
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**IT IS SO ORDERED.**

Julie Sande, Commissioner  
Department of Commerce, Community and  
Economic Development

DATED: 11/10/22

/s/ Robert H. Schmidt  
Robert H. Schmidt, Director  
Division of Banking and Securities