

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA
HARRISBURG DIVISION**

**U.S. SECURITIES AND EXCHANGE)
COMMISSION,)**

Plaintiff,)

vs.)

SEAN NATHAN HEALY,)

Defendant,)

and)

**SHALESE RANIA HEALY and)
SAND DOLLAR INVESTING)
PARTNERS, LLC,)**

Relief Defendants.)

Civil Action

No.

COMPLAINT

Plaintiff Securities and Exchange Commission (“Commission” or “SEC”)

alleges as follows:

SUMMARY OF ALLEGATIONS

1. The Commission files this emergency action to halt fraudulent conduct by Defendant Sean Nathan Healy (“Defendant” or “Healy”) and to

preserve investor assets under the control of Defendant Healy and Relief Defendants Shalese Raina Healy and Sand Dollar Investing Partners, LLC (collectively “Relief Defendants”).

2. Since at least 2005, Defendant has obtained as much as \$20 million from approximately fifty investors by promising that he would use the money to trade in securities and commodities on their behalf. Most recently, between May 2008 and February 2009, Healy obtained approximately \$15 million from Alfred Madeira, a Chambersburg, Pennsylvania resident who invested his own money and money provided by his attorney and more than forty of his friends, acquaintances and business associates. At Defendant’s direction, Madeira caused these funds to be deposited into a bank account held in the name of Defendant’s wife, Relief Defendant Shalese Rania Healy (the “Bank of America Account”).

3. Defendant repeatedly made assurances that he was investing the money he received from Madeira and others and that his trading was earning excellent returns. In fact, Defendant did not invest the monies he received in securities, futures and/or options, but rather used the money for daily living expenses and to purchase, among other things: numerous luxury vehicles (including Porsches, Lamborghinis, Ferraris, a Bentley, and a Lincoln limousine); a \$3,500 per month lease for 2500 square feet of garage space to store the vehicles; approximately \$1.4 million worth of jewelry; \$50,000 in gold bullion; a

\$2.4 million home; and approximately \$2.3 million in home furnishings and home improvements, including a \$500,000 home movie theater. Many of these assets are held in the name of his wife, Relief Defendant Shalese Healy, or his company, Relief Defendant Sand Dollar Investing Partners, LLC. Healy also used the money to pay approximately \$1 million to previous investors.

4. When questioned about his trading, Defendant provided falsified bank and trading records to Madeira and to the United States Attorney's Office for the Middle District of Pennsylvania.

5. By misappropriating investor funds and making false statements, either directly or indirectly, to the investors regarding, among other things, trading activity and profits supposedly generated from that trading, Defendant violated and, unless restrained and enjoined, will continue to violate, Section 17(a) of the Securities Act of 1933 ("Securities Act") [15 U.S.C. § 77q(a)], Section 10(b) of the Securities Exchange Act of 1934 ("Exchange Act") and Rule 10b-5 thereunder [15 U.S.C. § 78j(b); 17 C.F.R. § 240.10b-5].

6. In addition, Relief Defendants Shalese Healy and Sand Dollar Investing Partners, LLC each received ill-gotten gains or property as a result of Defendant's fraudulent conduct and to which they do not have a legitimate claim.

7. Accordingly, the Commission brings this action to enjoin Defendant's unlawful acts and to seek disgorgement, prejudgment interest, and civil monetary

penalties against Defendant, and to obtain

including two Porsches, four Lamborghinis, three Ferraris, and a Bentley. Upon information and belief, Shalese Healy is not employed and has no known sources of income other than the funds she receives from and on behalf of her husband.

10. **Relief Defendant Sand Dollar Investing Partners, LLC**, (“Sand Dollar”), is a Nevada limited liability company formed on or about July 21, 2008. Defendant and Madeira are the sole members of Sand Dollar. Defendant used the Sand Dollar entity to title at least one of the vehicles he purchased with investor funds, and caused Sand Dollar to lease warehouse space in which to store the luxury vehicles he purchased using investor funds.

JURISDICTION AND VENUE

11. This Court has jurisdiction over this action pursuant to Sections 20 and 22(a) of the Securities Act [15 U.S.C. §§ 77t and 77v(a)], and Sections 21(d) and 27 of the Exchange Act [15 U.S.C. §§ 78u(d) and 78aa].

12. Defendant, directly and indirectly, made use of the means and instrumentalities of interstate commerce, the means or instruments of transportation or communication in interstate commerce, and/or the mails, in connection with the acts, practices and courses of business set forth in this Complaint.

13. Venue is proper in the Middle District of Pennsylvania because at least forty of Defendant’s victims reside in this district and many of the acts and

transactions constituting violations of the Securities Act and Exchange Act occurred within this district.

FACTUAL ALLEGATIONS

I. Defendant Defrauded Investors

14. Since at least 2005, Defendant has obtained millions of dollars from individuals by promising to invest the money in securities and/or commodities, including initial public offerings of securities. However, Defendant failed to invest the funds that he received from investors, instead using the majority of the funds to purchase luxury items and other personal expenditures for himself and his wife.

15. Most recently, Healy obtained approximately \$15 million from at least forty people located in and around Chambersburg and other parts of Pennsylvania, who provided money through Alfred Madeira. Defendant and Madeira have known each other since approximately 2000, when Defendant was working as a registered representative for a securities brokerage firm in New York.

16. After losing touch for several years, Defendant called Madeira in April 2008. Defendant claimed that he was successfully day trading securities, options and futures in Florida and proposed that Madeira enter into a trading partnership with him. Shortly thereafter, Madeira began sending funds to Defendant based on Defendant's assurances that he would invest those funds and

Defendant's own funds in securities, futures and/or options and would split the proceeds with Madeira.

17. Between June and August 2008, Madeira provided Defendant with approximately \$1.2 million of his own funds, to purchase various stocks and commodities. At Defendant's direction, Madeira caused these funds to be deposited into the Bank of America Account held in Shalese Healy's name.

18. Between June and August 2008, Defendant repeatedly assured Madeira that he had invested the funds and that those investments were doing well and had resulted in profits far exceeding Madeira's initial investment. Defendant did not provide any account statements or other documentation, however.

19. With the prospect of receiving additional funds, including funds from third parties, Defendant and Madeira formed Relief Defendant Sand Dollar, which they intended to use to receive the investment money and conduct the actual trading. Upon information and belief, Sand Dollar did no securities or other trading.

20. Enticed by Defendant's supposed extraordinary trading success since May 2008 and promises that he could make them even more money trading gold futures, Madeira and his Pennsylvania attorney raised at least \$13 million in additional funds from more than forty friends, acquaintances, and business associates. They gave that money to Defendant to invest, sending the funds at

Defendant's direction to the Bank of America Account held in Shalese Healy's name.

21. Between September 2008 and January 2009, Defendant repeatedly made assurances that he was using the money provided by Madeira and others to profitably trade in gold futures and that distribution of the trading profits would be made in early February 2009. When the date for the supposed distribution had passed, Defendant continued to assure Madeira that the accounts would be available for distribution in early March 2009. On or about March 5, 2009, Defendant informed Madeira that he would not be distributing any profits.

22. To date, Defendant has made no distributions and returned less than ten percent of the principal provided by investors. Madeira filed suit against Defendant in Federal District Court for the Southern District of Florida in March 2009 and contacted the U.S. Attorney's Office for the Middle District of Pennsylvania.

23. In response to the civil litigation and inquiries from the U.S. Attorney's Office, Defendant furnished falsified bank and brokerage records. The bank records purport to show transfers of investors' money from the Bank of America Account held in Shalese Healy's name to various brokerage and commodities brokerage firms. The brokerage records purport to show the purchase and sale of securities and various other investments.

24. The falsified brokerage records reflect accounts that do not exist. In fact, one set of the falsified records purports to reflect an account with a brokerage firm that does not exist. Although the Bank of America Account exists, and reflects the receipt of approximately \$15 million in investor funds transferred by Madeira and others, the actual bank records for that account do not show any purchase of securities, futures and/or options or the transfer of funds to any brokerage or commodities trading firms. Instead, they show that Defendant and his wife used the money provided by investors for daily living expenses and to purchase, among other things:

a \$2.4 million house in Weston, Florida;

\$2.3 million in home renovations for the same new house, including \$1.2 million to an interior decorating firm, \$500,000 for the installation of a home movie theater, \$100,000 for landscaping, and \$144,000 for a swimming pool;

\$1.9 million for the purchase of almost a dozen luxury vehicles; twenty pieces of jewelry worth at least \$1.4 million, including five diamond watches, multiple diamond bracelets, and an 8.09 carat yellow diamond engagement ring;

\$51,000 to rent a private jet for a trip to the Bahamas;

\$50,000 in gold bullion; and

\$67,700 to rent a suite at the Bank Atlantic Center in Miami, the home of the Miami Heat and the Florida Panthers.

25. Many of these assets were put in Shalese Healy's name, including two Porsches, four Lamborghinis, three Ferraris, and a Bentley, and the house. At least one of the vehicles was put in the name of Sand Dollar, and Defendant also caused Sand Dollar to enter into a lease for garage space to house the vehicles.

26. The bank records also show that Defendant and/or Relief Defendant Shalese Healy used some of the money in the Bank of America Account to make payments to other individuals whom, upon information and belief, had previously been defrauded by Defendant into giving him money to invest. For example, two of the individuals who received money from the Bank of America Account had previously filed suit against Defendant in Florida state court, alleging that Defendant defrauded them of \$600,000 they gave him to invest on their behalf in securities.

27. Upon information and belief, Defendant and his wife have sold at least two of the vehicles since Madeira filed his lawsuit. Defendant and his wife also have taken out a \$900,000 line of credit against the house they purchased with investor funds.

28. By virtue of his actions, Defendant has violated, or is violating, Section 17(a) of the Securities Act and Section 10(b) of the Exchange Act and

Rule 10b-5 thereunder. Relief Defendants Shalese Healy and Sand Dollar have received ill-gotten funds or property to which they have no legitimate claim.

COUNT I

**Violations of Section 17(a) of the Securities Act
[15 U.S.C. § 77q(a)]**

29. Paragraphs 1 through 28 are hereby realleged and incorporated by reference.

30. Defendant, by engaging in the conduct described above, directly or indirectly, by use of the means or instruments of transportation or communication in interstate commerce or by use of the mails, in the offer or sale of securities:

- (a) employed devices, schemes or artifices to defraud;
- (b) obtained money or property by means of untrue statements of material facts and omissions to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; or
- (c) engaged in transactions, practices, or courses of business which operated or would have operated as a fraud or deceit upon the purchasers.

31. By reason of the foregoing, Defendant, directly or indirectly, violated and, unless restrained and enjoined, will continue to violate Section 17(a) of the Securities Act [15 U.S.C. § 77q(a)].

COUNT II

**Violations of Section 10(b) of the Exchange Act
and Rule 10b-5
[15 U.S.C. § 78j(b); 17 C.F.R. § 240.10b-5]**

32. Paragraphs 1 through 31 are hereby realleged and incorporated by reference.

33. Defendant, by engaging in the conduct described above, directly or indirectly, by use of the means or instruments of transportation or communication in interstate commerce, or by use of the mails, or of any facility of any national securities exchange, in connection with the purchase or sale of securities:

- (a) employed devices, schemes or artifices to defraud;
- (b) made untrue statements of material facts or omitted to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; or
- (c) engaged in acts, practices, or courses of business which operated or would have operated as a fraud or deceit upon the purchasers.

34. By the reason of the foregoing, Defendant, directly or indirectly, violated, and unless restrained and enjoined will continue to violate, Section 10(b) of the Exchange Act and Rule 10b-5 thereunder [15 U.S.C. § 78j(b); 17 C.F.R. § 240.10b-5].

RELIEF REQUESTED

WHEREFORE, Plaintiff Securities and Exchange Commission respectfully requests that the Court:

- i. Enter a final judgment:
 - a. Permanently restraining and enjoining the Defendant, his agents, servants, employees, attorneys, and representatives, and all persons in active concert or participation with him, and each of them, from violating directly or indirectly, Section 17(a) of the Securities Act [15 U.S.C. § 77q(a)], Section 10(b) of the Exchange Act and Rule 10b-5 thereunder [15 U.S.C. § 78j(b); 17 C.F.R. § 240.10b-5];
 - b. Directing Defendant and Relief Defendants to disgorge ill-gotten gains obtained through the violative conduct alleged in this complaint and directing Defendant to pay prejudgment interest thereon;
 - c. Directing Defendant to pay civil penalties pursuant to Section 20(d) of the Securities Act [15 U.S.C. § 77t(d)] and Section 21(d) of the Exchange Act [15 U.S.C. § 78u(d)];
- ii. Grant the temporary and preliminary relief sought by the Commission in the motion filed herewith; and

iii. Grant such other relief as the Court deems appropriate.

Dated: July 12, 2009

Respectfully submitted,

/s/ Fred L. Block /

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CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

<p>I. (a) PLAINTIFFS</p> <p>(b) County of Residence of First Listed Plaintiff _____ (EXCEPT IN U.S. PLAINTIFF CASES)</p> <p>(c) Attorney's (Firm Name, Address, and Telephone Number)</p>	<p style="text-align: center;">DEFENDANTS</p> <p style="text-align: center;">County of Residence of First Listed Defendant _____ (IN U.S. PLAINTIFF CASES ONLY)</p> <p style="text-align: center;">NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.</p> <p>Attorneys (If Known)</p>
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<p>II. BASIS OF JURISDICTION (Place an "X" in One Box Only)</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"> <input type="checkbox"/> 1 U.S. Government Plaintiff </td> <td style="width: 50%; border: none;"> <input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) </td> </tr> <tr> <td style="border: none;"> <input type="checkbox"/> 2 U.S. Government Defendant </td> <td style="border: none;"> <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III) </td> </tr> </table>	<input type="checkbox"/> 1 U.S. Government Plaintiff	<input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)	<input type="checkbox"/> 2 U.S. Government Defendant	<input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	<p>III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)</p> <p style="text-align: center;">(For Diversity Cases Only)</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 30%;"></td> <td style="width: 10%; text-align: center;">PTF</td> <td style="width: 10%; text-align: center;">DEF</td> <td style="width: 40%;"></td> <td style="width: 10%; text-align: center;">PTF</td> <td style="width: 10%; text-align: center;">DEF</td> </tr> <tr> <td>Citizen of This State</td> <td style="text-align: center;">/ 1</td> <td style="text-align: center;">/ 1</td> <td>Incorporated <i>or</i> Principal Place of Business In This State</td> <td style="text-align: center;">/ 4</td> <td style="text-align: center;">/ 4</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;">/ 2</td> <td style="text-align: center;">/ 2</td> <td>Incorporated <i>and</i> Principal Place of Business In Another State</td> <td style="text-align: center;">/ 5</td> <td style="text-align: center;">/ 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;">/ 3</td> <td style="text-align: center;">/ 3</td> <td>Foreign Nation</td> <td style="text-align: center;">/ 6</td> <td style="text-align: center;">/ 6</td> </tr> </table>		PTF	DEF		PTF	DEF	Citizen of This State	/ 1	/ 1	Incorporated <i>or</i> Principal Place of Business In This State	/ 4	/ 4	Citizen of Another State	/ 2	/ 2	Incorporated <i>and</i> Principal Place of Business In Another State	/ 5	/ 5	Citizen or Subject of a Foreign Country	/ 3	/ 3	Foreign Nation	/ 6	/ 6
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Citizen or Subject of a Foreign Country	/ 3	/ 3	Foreign Nation	/ 6	/ 6																								

IV. NATURE OF SUIT (Place an "X" in One Box Only)					
CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge

X

CFTC suit filed today in MD PA; Private party dispute in SD FL

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

I. (a) Plaintiffs-Defendants. Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.

(b) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)

(c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".

II. Jurisdiction. The basis of jurisdiction is set forth under Rule 8(a), F.R.C.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.

United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.

United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.

Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.

Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; federal question actions take precedence over diversity cases.)

III. Residence (citizenship) of Principal Parties. This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.

IV. Nature of Suit. Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerks in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.

V. Origin. Place an "X" in one of the seven boxes.

Original Proceedings. (1) Cases which originate in the United States district courts.

Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.

Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.

Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.

Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.

Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.

Appeal to District Judge from Magistrate Judgment. (7) Check this box for an appeal from a magistrate judge's decision.

VI. Cause of Action. Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553

Brief Description: Unauthorized reception of cable service

VII. Requested in Complaint. Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.

Demand. In this space enter the dollar amount (in thousands of dollars) being demanded or indicate other demand such as a preliminary injunction.

Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

VIII. Related Cases. This section of the JS 44 is used to reference related pending cases if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.