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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

**SECURITIES AND EXCHANGE  
COMMISSION,**

**Plaintiff,**

**v.**

**JOSHUA CHARLES AVIKZER GOLTRY,**

**and**

**JAG CAPITAL ADVISORS, LLC,**

**Defendants.**

**CIVIL ACTION NO.**

**COMPLAINT**

**JURY TRIAL  
DEMANDED**

Plaintiff Securities and Exchange Commission (the “Commission” or the “SEC”), One Penn Center, 1617 JFK Boulevard, Suite 520, Philadelphia, Pennsylvania 19103, alleges as follows against Defendants Joshua Charles Avikzer Goltry (“Goltry”), whose last known address is 40 Central Park South, Apt. 4A, New York, New York 10019-1633, and JAG Capital Advisors, LLC (“JAG Advisors”), 40 Central Park South, Apt. 4A, New York, New York 10019-1633.

## **SUMMARY**

1. This case involves an investment adviser fraud scheme conducted by Goltry and JAG Advisors. From 2020 to 2023, Goltry and JAG Advisors raised at least \$3 million from approximately nine investors for JAG Cap, LLC (“JAG Fund”), a purported long/short equity fund. In soliciting investments, Goltry and JAG Advisors lied about nearly every aspect of JAG Fund’s operations, including its performance, investment activity, and its risk protocols.

2. Goltry and JAG Advisors lost over \$1.7 million through high-risk trading and speculative investments. In addition, Goltry stole over \$1.1 million of investor funds, and used the money for personal expenses, such as jewelry, and travel to Hawaii, Las Vegas, and Paris. Goltry and JAG Advisors lied to investors about the loss and misappropriation of investor funds.

3. Goltry and JAG Advisors concealed the trading losses and the misappropriation of investor funds from the fund administrator, and therefore from investors, by providing the fund administrator with fraudulent invoices for purported JAG Fund expenses, as well as falsified documents that inflated the value of certain investments.

4. By August 2023, JAG Fund was depleted, and it is now defunct.

## **JURISDICTION AND VENUE**

5. The Commission brings this action, and this Court has subject matter jurisdiction over this action, pursuant to Sections 20(b), 20(d), and 22(a) of the Securities Act of 1933 (“Securities Act”) [15 U.S.C. §§ 77t(b), 77t(d), and 77v(a)]; Sections 21(d), 21(e), and 27 of the Securities Exchange Act of 1934 (“Exchange Act”) [15 U.S.C. §§ 78u(d), 78u(e), and 78aa]; and Sections 209(d), 209(e), and 214 of the Investment Advisers Act of 1940 (“Advisers Act”) [15 U.S.C. §§ 80b–9(d), (e) and 80b–14(a)].

6. Venue is proper in this district pursuant to Section 22(a) of the Securities Act [15 U.S.C. § 77v(a)], Section 27 of the Exchange Act [15 U.S.C. § 78aa], and Section 214 of the Advisers Act [15 U.S.C. § 80b-14], because a substantial part of the acts or omissions that give rise to claims alleged in this Complaint occurred in this District – namely, Goltry opened a trading account at a SEC-registered broker-dealer office located in this District, and retained an accounting firm based in this District to provide accounting and tax services.

7. In connection with the conduct alleged in this Complaint, Defendants, directly or indirectly, singly or in concert with others, in connection with the acts, transactions, practices, and courses of business, have made use of the means and instrumentalities of interstate commerce, the means or instruments of transportation or communication in interstate commerce, the mails, and/or the facilities of a national securities exchange – namely, through Defendants’ use of the Internet when engaging in the acts and transactions described herein, as well as the facilities of a national securities exchange.

#### **DEFENDANTS**

8. **Joshua Charles Avikzer Goltry**, age 30, resides in New York, New York. Goltry is the founder and Chief Investment Officer of JAG Fund. Goltry is also the principal of JAG Advisors.

9. **JAG Capital Advisors, LLC** is a Delaware limited liability company and is the investment manager for JAG Fund. JAG Advisors was established in March 2021, and during the course of the conduct alleged herein, its principal place of business was in Miramar, Florida.

#### **RELATED ENTITIES**

10. **JAG Cap, LLC** is a Florida limited liability company with Miramar, Florida as its principal place of business. JAG Fund was established in October 2020, and purported to be a

long/short equity fund and pooled investment vehicle that invested in the e-commerce, software, cybersecurity, semiconductor, fintech, gaming, and alternative energy industries.

11. **NGCrypto LLC** is a Delaware limited liability company with New York, New York, as its principal place of business. NGCrypto was established in March 2022 by Goltry.

### **FACTS**

12. In early 2020, Goltry began soliciting investments for a hedge fund that he planned to run. Goltry received the first investments in January 2020, before he had even established a hedge fund.

13. In early 2021, Goltry began formally setting up JAG Fund. During this time, he hired several outside professionals, including a law firm to draft fund documents, a fund service provider to serve as JAG Fund's administrator, and an accounting firm based in New Jersey to prepare JAG Fund's audited financial statements and tax returns.

14. On August 4, 2021, Goltry opened a brokerage account in the name of JAG Cap LLC at an SEC-registered broker-dealer in Red Bank, New Jersey.

### **Goltry and JAG Advisors Solicited Investors Using False and Misleading Promotional Materials**

15. Beginning in spring 2021, Goltry solicited investors in JAG Fund using promotional and marketing materials which Goltry drafted and which Goltry knew contained materially false information. The false promotional material included a pitch deck which stated that JAG Fund's performance from March 2018 through June 2020 had significantly outperformed the Dow, S&P, and Nasdaq for most quarters. This performance data was false.

16. In April 2021, Goltry provided the materials, including the pitch deck mentioned

above, to a friend, who in turn shared the materials with his father, hereinafter “Investor A.” On or about April 14, 2021 and April 15, 2021, Investor A invested a total of \$500,000 in JAG Fund.

17. Thereafter, Goltry hired that same friend to work as an analyst, hereinafter “JAG Analyst.”

18. JAG Analyst also shared the pitch deck containing false information with a friend, hereinafter “Investor B.” On or about April 19, 2021, Investor B invested \$200,000.

19. In spring 2021, Goltry hired a college friend, hereinafter “JAG Trader,” who had a background in options trading.

20. Goltry told JAG Trader that Goltry was an experienced trader who had earned millions of dollars over the course of approximately the three previous years through his investments and trading strategies. To support these claims, Goltry provided JAG Trader with a performance snapshot of a portfolio which purported to show that Goltry had earned exorbitant returns between March 2018 and June 2021. The performance snapshot showed that, as of June 2021, the portfolio was valued at over \$13 million. Goltry fabricated the performance snapshot. Goltry had never earned such significant returns, and certainly had not done so in the preceding three years.

21. During the summer of 2021, JAG Trader solicited a married couple who were also family friends, hereinafter “Investors C and D,” to invest in JAG Fund. JAG Trader told Investors C and D that Goltry had earned millions of dollars in returns through his investments and trading strategies over the course of the previous three years, information Goltry had relayed to JAG Trader, which was false. Goltry provided JAG Trader with a pitch deck, which JAG

Trader in turn shared with Investors C and D, that contained materially false information. The pitch deck included Goltry's fabricated performance snapshot.

22. In addition, the pitch deck that JAG Trader showed to Investors C and D, which Goltry drafted, claimed that JAG Fund had certain risk management protocols that JAG Fund followed, including certain portfolio weightings and hedging strategies. In reality, as Goltry knew, JAG Fund had no such risk management protocols.

23. On or about August 11, 2021, Investors C and D invested \$250,000 in JAG Fund.

24. On or about March 10, 2022, Goltry and JAG Trader secured an investment of \$2,000,000 from an individual in Florida, hereinafter "Investor E." In convincing Investor E to invest, Goltry made a number of false representations, including false statements regarding JAG Fund's performance, investment returns, and liquidity. As Goltry knew, these statements were false as JAG Fund had posted steady losses as of March 2022, prior to Investor E's investment.

25. Between April 2021 and December 2022, Goltry and JAG Advisors raised at least \$3 million in investments for JAG Fund.

**Goltry and JAG Advisors Created a Side Pocket Account Within JAG Fund and Falsely Inflated Investments, Causing the Fund Administrator to Misstate JAG Fund's Value**

26. In May 2022, Goltry and JAG Advisors directed the fund administrator to establish what Goltry and JAG Advisors referred to as a "side pocket" account within JAG Fund to allow certain JAG Fund investors to invest in private companies.

27. Around that time, JAG Fund invested \$125,000 in convertible promissory notes issued by a developer of financial market platforms, hereinafter "Company A," utilizing the side pocket account. Goltry and JAG Advisors allocated the \$125,000 investment to three investors—Investor A, Investor B, and Investor E.

28. On or about June 1, 2022, Goltry wrote in an email to the fund administrator that Company A's valuation had "increased 4x since we made out [sic] angel investment at \$4.5 MM valuation. [Company A's] current valuation following it's [sic] pre-seed round is \$18MM." As Goltry then well knew, this information regarding the valuation of Company A, and by extension, the valuation of JAG Fund's investment in Company A, was false.

29. On June 10, 2022, a mere nine days later, Goltry reported to the fund administrator that the revenue valuation of Company A was projected to be "\$60MM, up from \$20MM." As a result of Goltry's false statements, the fund administrator's books reflected that JAG Fund had a total investment of \$2,697,500 in Company A as of February 2023.

30. In fact, as Goltry then well knew, there was no basis for this valuation of Company A. As of February 2023, the true value of JAG Fund's investment in Company A had increased to approximately \$225,000.

31. In August 2022, Goltry and JAG Advisors caused JAG Fund to make another side pocket investment of \$50,000 in an online investment platform, hereinafter "Company B."

32. On or around August 31, 2022, Goltry provided the fund administrator with a fraudulent convertible promissory note dated August 24, 2022, falsely reflecting the amount of the investment in Company B as a \$95,000 investment.

33. Goltry further inflated the value of JAG Fund's investment in Company B by falsely telling the fund administrator that the Fund had invested additional amounts in Company B. For example, in a November 21, 2022 email, Goltry informed the fund administrator that "\$50k and 30K were additions to our existing \$95k [Company B] seed round position." As Goltry then well knew, JAG Fund's total investment in Company B was \$50,000, not \$175,000.

34. As of February 2023, as a result of additional misrepresentations by Goltry, the fund administrator's books reflected that JAG Fund had a total investment of \$215,000 in Company B. In fact, JAG Fund's investment in Company B was only \$50,000.

**JAG Fund Engaged in Very Risky and Highly Speculative Trading  
and Suffered Significant Trading Losses**

35. From May 2021 through February 2023, JAG Fund realized trading losses totaling approximately \$1,747,744.

36. Although Goltry and JAG Advisors promised in pitch decks and other solicitations that investor funds would be invested in equities using risk management protocols, Goltry and JAG Advisors engaged in very risky and highly speculative options trading. For example, in September 2022 alone, JAG Fund realized losses of approximately \$369,000 related to option trades.

**Goltry and JAG Advisors Misappropriated Investor Funds  
and Falsified Records to Conceal this Activity**

37. In addition to incurring substantial losses resulting from the JAG Fund's risky trading, from at least October 2020 to July 2023, Goltry and JAG Advisors misappropriated over \$1.1 million of investor funds to cover personal expenses, including, but not limited to, personal travel, rent, jewelry, and general living expenses. For example, Goltry spent investor funds to pay for travel to Hawaii, Las Vegas, and Paris.

38. Documents provided to JAG Fund investors noted that JAG Advisors would receive a 1.5% management fee, which was to be used to pay advisory services. As of May 2023, the accrued management fees totaled approximately \$80,233. However, as of May 2023, Goltry and JAG Advisors paid JAG Trader and JAG Analyst approximately \$327,000 in total, largely from investor funds, far in excess of the accrued management fees.



39. Goltry covered up the misappropriation of investor funds by providing the fund administrator with fraudulent invoices, and then diverting what appeared to be expense payments to himself. For example, Goltry provided the fund administrator with fraudulent law firm invoices and false information regarding purported legal fees to justify transfers of monies from JAG Fund to another account, and then used the funds to cover unauthorized expenses, including personal expenses.

40. Goltry also hid his misappropriation by giving the fund administrator access to only one bank account, and only two of the three brokerage accounts used by JAG Fund. As a result, Goltry was able to transfer monies from one fund bank account to another fund bank account, from which he then made withdrawals unbeknownst to the fund administrator. For example, when the fund administrator identified \$95,000 of bank transactions and requested an explanation, Goltry reported to the fund administrator, as described above, that JAG Fund invested \$95,000 in Company B, thus accounting for the withdrawals. In reality, Goltry had only invested \$50,000 in Company B, and diverted the remaining \$45,000 to himself.

41. In March 2022, Goltry created a limited liability company, NGCrypto, and opened a business bank account in its name. Goltry provided the fund administrator with fraudulent invoices for purported consulting and trading services from NGCrypto. The fund administrator relied on this information to justify Goltry's transfer of monies from one fund account to another fund account, which Goltry then transferred to NGCrypto or used to pay personal expenses. Goltry did not disclose to the fund administrator that NGCrypto was an entity that he created and controlled or that NGCrypto had no business operations. Using NGCrypto, Goltry and JAG Advisors diverted over \$434,000 from JAG Fund to Goltry, which Goltry then used for unauthorized expenses.

42. As a result of the misappropriation and trading losses described above, JAG Fund's three brokerage accounts were essentially depleted by February 2023.

**Goltry and JAG Advisors Provided Investors with False Documents**

43. Goltry provided investors with falsified documents after they had invested, including Bloomberg terminal screenshots falsely showing model portfolios that purportedly reflected the positions and securities held by JAG Fund. Goltry provided at least one investor in the side pocket account with a fraudulent Company A convertible promissory note showing that the amount of her investment was \$200,000 rather than the \$100,000 that had been allocated to this investor in Company A. In addition, in March 2023, Goltry provided investors with fraudulent Schedule K-1s purportedly issued by JAG Fund's accounting firm that he had prepared.

**Goltry and JAG Advisors Used the Inflated Valuation of JAG Fund's Side Pocket Account to Conceal Trading Losses and Misappropriation**

44. The fund administrator provided JAG Fund investors with monthly account statements that claimed to reflect the beginning balance, profit or loss for the month, and the ending balance for their investments in JAG Fund. These statements were the only information that investors regularly received regarding performance of their investments.

45. Investors often received the monthly account statements very late as the fund administrator relied on Goltry and JAG Advisors to provide the necessary supporting documentation, and they regularly failed to do so in a timely manner.

46. The monthly account statements that the fund administrator provided to investors showed poor trading returns.

47. Beginning in May 2022, the three investors in the side pocket account received a second monthly account statement from the administrator reflecting the performance of the side pocket investments.

48. Due to the inflated valuations Goltry and JAG Advisors provided the fund administrator, the side pocket account statements showed that the private investments were performing extremely well. Viewed together, the monthly account statements showed that JAG Fund investments were successful overall, thus concealing JAG Fund's trading losses and misappropriation by Goltry and JAG Advisors.

49. Goltry falsely told other investors who had not been allocated an investment in the side pocket that they were invested in it.

**THE DEFENDANTS VIOLATED THE ANTIFRAUD PROVISIONS  
OF THE FEDERAL SECURITIES LAWS**

50. The membership interests Goltry and JAG Advisors offered and sold in JAG Fund were securities. Goltry and JAG Advisors provided investors an opportunity to invest money. The investors expected their investments would be pooled and invested with other investor funds in JAG Fund with gains or losses allocated on a pro rata basis. And the investors had a reasonable expectation of profits from JAG Fund investment activity conducted by Goltry and JAG Advisors.

51. In perpetrating the fraud, Goltry and JAG Advisors used the means or instruments of interstate commerce or of the mails, or the facility of a national securities exchange, including by communicating false statements via emails and text messages.

52. Goltry and JAG Advisors made materially false statements to induce investors to invest in JAG Fund, and perpetuated materially false statements after they had investors' money. To induce investors, Goltry and JAG Advisors provided them with fraudulent pitch

decks showing that JAG Advisors had a very successful performance record that pre-dated the formation of JAG Fund. Once invested in JAG Fund, investors were provided with financial information premised on falsely inflated investments in private companies which resulted in investors being provided account statements that showed their investments were significantly greater than they actually were, as well as Bloomberg terminal screenshots falsely showing that Goltry and JAG Advisors had a well-managed portfolio with risk management protocols.

53. Goltry and JAG Advisors were the makers of these misrepresentations.

Goltry, as the owner and principal of JAG Advisors, was JAG Advisors' decision-maker and had ultimate authority to determine what information was disclosed, as well as how and when that information was disclosed.

54. Goltry and JAG Advisors obtained money and property by means of these misstatements, including by misappropriating investor funds.

55. In addition to these and other misstatements, Goltry and JAG Advisors also engaged in other deceptive conduct. For example, Goltry established NGCrypto, and then used it as a conduit to conceal the transfer of investor money to himself for his own expenses. Goltry and JAG Advisors provided numerous fabricated documents to investors and the fund administrator, including audited financial statements, Bloomberg model portfolio screenshots, convertible promissory notes, and invoices. These deceptive acts were designed to conceal JAG Fund's financial condition, as well as JAG Advisors' and Goltry's misconduct from the fund administrator and, ultimately, investors.

56. Goltry and JAG Advisors knew or were reckless in not knowing that documents were fabricated by Goltry, including the performance snapshot which purported to support exorbitant returns based on Goltry's trading activity, promissory notes, invoices for expenses

incurred by JAG Fund (including legal fees and NGCrypto-related investments), and Schedule K-1s. Goltry and JAG Advisors also knew or were reckless in not knowing that the written statements they provided to investors, and oral representations they made to investors, regarding nearly every aspect of JAG Fund's operations, including its performance, investment activity, and its risk protocols, were false and misleading.

57. Goltry's and JAG Advisors' misstatements and deceptive conduct were material. A reasonable investor would have wanted to know about Goltry's and JAG Fund's performance, the use of JAG Fund assets, Goltry's misappropriation, and the true value of their investment.

58. As described herein, Goltry and JAG Advisors acted as investment advisers by providing investment advisory services for a fee.

59. Goltry and JAG Advisors owed a fiduciary duty to their client, JAG Fund, to act in utmost good faith. Consistent with this standard, Goltry and JAG Advisors owed a duty to use assets of JAG Fund in a manner consistent with their representations to investors, to disclose to JAG Fund's investors all material facts, and to employ reasonable care to avoid misleading JAG Fund's investors.

60. As detailed above, Goltry and JAG Advisors clearly breached their fiduciary duties by, among other things, misappropriating assets from JAG Fund; engaging in highly speculative options trading, contrary to fund disclosures and which resulted in significant losses to JAG Fund; and also by inflating the value of the investments in the side pocket account to conceal these losses.

61. Goltry and JAG Advisors knowingly or recklessly made materially false and misleading statements to investors and prospective investors in JAG Fund, which was a pooled investment vehicle. As detailed above, Goltry and JAG Advisors misrepresented JAG Fund's

past performance, holdings, asset valuations, and assets under management. JAG Advisors and Goltry also knowingly or recklessly engaged in a series of deceptive practices, including using fraudulent documents and the side pocket account to conceal JAG Fund's losses from investors.

**FIRST CLAIM FOR RELIEF**  
**Fraud in Violation of Section 17(a) of the Securities Act**  
**(Against Both Defendants)**

62. The Commission realleges and incorporates by reference each and every allegation in paragraphs 1 through 61, inclusive, as if they were fully set forth herein.

63. By engaging in the conduct described above, Defendants, directly or indirectly, singly or in concert, in the offer or sale of securities and by the use of the means or instruments of transportation or communication in interstate commerce or the mails,

- (a) knowingly or recklessly employed one or more devices, schemes or artifices to defraud;
- (b) knowingly, recklessly, or negligently obtained money or property by means of one or more untrue statements of material fact or omitted to state one or more material facts necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading; and/or
- (c) knowingly, recklessly, or negligently engaged in one or more transactions, practices or courses of business which operate or would operate as a fraud or deceit upon a purchaser.

64. By reason of the foregoing, Defendants violated, and, unless enjoined, are reasonably likely to continue to violate, Section 17(a) of the Securities Act [15U.S.C. § 77q(a)].

**SECOND CLAIM FOR RELIEF**

**Fraud in Violation of Section 10(b) and Rules 10b-5 of the Exchange Act  
(Against Both Defendants)**

65. The Commission realleges and incorporates by reference each and every allegation in paragraphs 1 through 61, inclusive, as if they were fully set forth herein.

66. Defendants directly or indirectly, singly or in concert, by the use of the means or instrumentalities of interstate commerce, or of the mails, or the facilities of a national securities exchange, in connection with the purchase or sale of securities, knowingly or recklessly,

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

67. By reason of the foregoing, Defendants violated, and, unless enjoined, are reasonably likely to continue to violate, Section 10(b) of the Exchange Act [15 U.S.C. § 78j(b)] and Rule 10b-5 [17 C.F.R. § 240.10b-5] thereunder.

**THIRD CLAIM FOR RELIEF**

**Violations of Sections 206(1) of the Advisers Act  
(Against Both Defendants)**

68. The Commission realleges and incorporates by reference each and every allegation in paragraphs 1 through 61, inclusive, as if they were fully set forth herein.

69. By engaging in the conduct described above, Defendants directly or indirectly, singularly or in concert, by use of the mails or the means or instrumentalities of interstate commerce, while acting as investment advisers, knowingly or recklessly employed any device, scheme, or artifice to defraud any client or prospective client.

70. By engaging in the foregoing conduct, the Defendants violated and, unless restrained and enjoined, will continue to violate, Section 206(1) of the Advisers Act [15 U.S.C. § 80b-6(1)].

**FOURTH CLAIM FOR RELIEF**  
**Violations of Section 206(2) of the Advisers Act**  
**(Against Both Defendants)**

71. The Commission realleges and incorporates by reference each and every allegation in paragraphs 1 through 61, inclusive, as if they were fully set forth herein.

72. By engaging in the conduct described above, the Defendants directly or indirectly, singularly or in concert, by use of the mails or the means or instrumentalities of interstate commerce, while acting as an investment advisers, knowingly, recklessly, or negligently engaged in any transaction, practice, or course of business which operated as a fraud or deceit upon any client or prospective client.

73. By engaging in the foregoing conduct, the Defendants violated and, unless restrained and enjoined, will continue to violate, Section 206(2) of the Advisers Act [15 U.S.C. § 80b-6(2)].

**FIFTH CLAIM FOR RELIEF**  
**Violations of Section 206(4) of the Advisers Act and Rule 206(4)-8 thereunder**  
**(Against Both Defendants)**

74. The Commission realleges and incorporates by reference each and every



allegation in paragraphs 1 through 61 of the Complaint, inclusive, as if they were fully set forth herein.

75. By engaging in the acts and conduct alleged in this Complaint, Defendants, while acting as investment advisers to one or more pooled investment vehicles, by use of the means and instrumentalities of interstate commerce and of the mails, directly or indirectly, singly or in concert, knowingly, recklessly, or negligently,

- (a) made untrue statements of material fact and omitted to state material facts necessary to make statements made, in the light of the circumstances under which they were made, not misleading, to any investor and/or any prospective investor in one or more pooled investment vehicle; and/or
- (b) engaged in any act, practice, and course of business that were fraudulent, deceptive, and manipulative with respect to any investor and/or any prospective investor in one or more pooled investment vehicles.

76. By reason of the foregoing, the Defendants, directly or indirectly, violated and, unless restrained and enjoined, will continue to violate, Section 206(4) of the Advisers Act [15 U.S.C. § 80b-6(4)] and Rule 206(4)-8 thereunder [17 C.F.R. § 275.206(4)-8].

**RELIEF REQUESTED**

**WHEREFORE**, the Commission respectfully requests that the Court enter a final judgment:

**Permanent Injunctions**

Permanently restraining and enjoining Defendants, their officers, agents, servants, employees, attorneys, and all persons in active concert or participation with them, and each of them, from directly or indirectly violating the federal securities laws alleged in this Complaint;

**Officer and Director Bar**

Permanently prohibiting Goltry from serving as an officer or director of any company that has a class of securities registered under Exchange Act Section 12 [15 U.S.C. § 78l] or that is required to file reports under Exchange Act Section 15(d) [15 U.S.C. § 78o(d)], pursuant to Securities Act Section 20(e) [15 U.S.C. § 77t(e)] and Exchange Act Section 21(d)(2) [15 U.S.C. § 78u(d)(2)];

**Disgorgement and Prejudgment Interest**

Ordering Defendants to disgorge all ill-gotten gains they received directly or indirectly, with prejudgment interest thereon, as a result of the alleged violations, pursuant to Section 21(d)(3), (5) and (7) of the Exchange Act [15 U.S.C. §§ 78u(d)(3), (5) and (7)];

**Civil Penalty**

Ordering Defendants to pay civil money penalties pursuant to Section 20(d) of the Securities Act [15 U.S.C. § 77t(d)]; Section 21(d)(3) of the Exchange Act [15 U.S.C. § 78u(d)(3)]; and Section 209(e) of the Advisers Act [15 U.S.C. § 80b-9(e)]; and

**Further Relief**

Granting any other and further relief this Court may deem just and proper.

**Retention of Jurisdiction**

Further, the Commission respectfully requests that the Court retain jurisdiction over this action and Defendants in order to implement and carry out the terms of all orders and decrees that it may enter, or to entertain any suitable application or motion by the Commission for additional relief within the jurisdiction of this Court.

**Demand for Jury Trial**

The Commission hereby demands a trial by jury on any and all issues in this action so triable.

Dated: June 12, 2024

Respectfully submitted,

s/Judson T. Mihok

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Attorneys for Plaintiff

SECURITIES AND EXCHANGE COMMISSION

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**LOCAL RULE 11.2 CERTIFICATION**

Pursuant to Local Rule 11.2, I certify that the matter in controversy alleged against the Defendant in the foregoing Complaint is not the subject of any other civil action pending in any court, or of any pending arbitration or administrative proceeding.

Dated: June 12, 2024

Respectfully submitted,

*s/Judson T. Mihok*

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UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

JOSHUA CHARLES AVIKZER GOLTRY,

and

JAG CAPITAL ADVISORS, LLC,

Defendants.

C.A. No. \_\_ - \_\_\_\_

**DESIGNATION OF AGENT  
FOR SERVICE**

Pursuant to Local Rule 101.1(f), because the Securities and Exchange Commission (the “Commission”) does not have an office in this district, the United States Attorney for the District of New Jersey is hereby designated as eligible as an alternative to the Commission to receive service of all notices or papers in the captioned action. Therefore, service upon the United States or its authorized designee, David Dauenheimer, Deputy Chief, Civil Division, United States

Attorney's Office for the District of New Jersey, 970 Broad Street, 7th Floor, Newark, NJ 07102  
shall constitute service upon the Commission for purposes of this action.

Dated: June 12, 2024

Respectfully submitted,

*s/Judson T. Mihok*

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Attorneys for Plaintiff

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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 NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS
Securities and Exchange Commission
(b) County of Residence of First Listed Plaintiff
(c) Attorneys (Firm Name, Address, and Telephone Number)
Judson T. Mihok
Securities and Exchange Commission
1617 JFK Boulevard, Suite 520, Philadelphia, PA 19103 (215) 597-6500

DEFENDANTS
Joshua Charles Avikzer Goltry and JAG Capital Advisors, LLC
County of Residence of First Listed Defendant New York
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.
Attorneys (If Known)
Alex Spiro, Esquire and Joanna Menillo, Esquire
Quinn Emanuel Urquhart & Sullivan, LLP
51 Madison Avenue, 22nd Floor, New York, New York 10010

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)
1 U.S. Government Plaintiff
2 U.S. Government Defendant
3 Federal Question (U.S. Government Not a Party)
4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)
PTF DEF
Citizen of This State 1 1
Citizen of Another State 2 2
Citizen or Subject of a Foreign Country 3 3
Incorporated or Principal Place of Business In This State 4 4
Incorporated and Principal Place of Business In Another State 5 5
Foreign Nation 6 6

IV. NATURE OF SUIT (Place an "X" in One Box Only) Click here for: Nature of Suit Code Descriptions.

Table with columns: CONTRACT, REAL PROPERTY, CIVIL RIGHTS, TORTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, INTELLECTUAL PROPERTY RIGHTS, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes various legal categories like Personal Injury, Real Property, Labor, etc.

V. ORIGIN (Place an "X" in One Box Only)
1 Original Proceeding
2 Removed from State Court
3 Remanded from Appellate Court
4 Reinstated or Reopened
5 Transferred from Another District (specify)
6 Multidistrict Litigation - Transfer
8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION
Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
15 U.S.C. § 77q(a); 15 U.S.C. § 78j(b); 17 C.F.R. § 240.10b-5; 15 U.S.C. §§ 80b-6(1), (2); 17 C.F.R. § 275.206(4)-8
Brief description of cause: Securities Fraud

VII. REQUESTED IN COMPLAINT:
CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: [X] Yes [ ] No

VIII. RELATED CASE(S) IF ANY (See instructions):
JUDGE Hon. Katharine S. Hayden DOCKET NUMBER

DATE SIGNATURE OF ATTORNEY OF RECORD s/Judson T. Mihok

FOR OFFICE USE ONLY
RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE