

STATE OF NEVADA
OFFICE OF THE SECRETARY OF STATE
SECURITIES DIVISION

2250 LAS VEGAS BOULEVARD NORTH, SUITE 400
NORTH LAS VEGAS, NEVADA 89030
(702) 486-2440

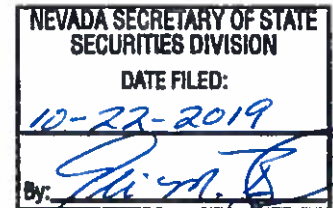
In the Matter of:

MARCOS TAMAYO-MARTINEZ LISANNA
CORTO, d/b/a BORED AT WORK, a Nevada
partnership; MARCOS TAMAYO-
MARTINEZ, aka MARCOS TAMAYO, an
individual,

Respondents.

FINAL ORDER TO CEASE AND
DESIST

File No. 117-052



TO: Marcos Tamayo-Martinez Lisanna Corto
d/b/a Bored at Work
5112 Avenida del Luna
Las Vegas, NV 89119

Marcos Tamayo-Martinez
5112 Avenida del Luna
Las Vegas, NV 89119

WHEREAS, the Securities Division of the Office of the Nevada Secretary of State ("Division") duly served a copy of the Notice of Summary Order to Cease and Desist Pursuant to NRS 90.630 and Opportunity for Hearing Pursuant to NRS 90.630(3) and Summary Order ("Summary Order") filed on August 15, 2017, upon Marcos Tamayo-Martinez Lisanna Corto, d/b/a "Bored at Work," a Nevada partnership, and Marcos Tamayo-Martinez aka Marcos Tamayo, an individual ("Respondents"); and

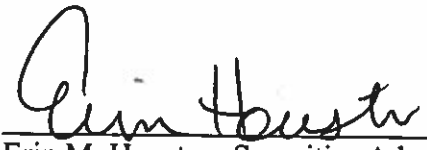
WHEREAS, Respondent did not request a hearing within fifteen (15) days after the Summary Order was mailed by certified mail to the last known address of Respondent as provided in NRS 90.800.

///

1 **NOW THEREFORE**, the Administrator of the Division, pursuant to the authority set forth in
2 NRS 90.800, the Summary Order (a copy of which is attached hereto and incorporated herein by this
3 reference) is hereby final.

4 **IT IS SO ORDERED.**

5
6 DATED this 22 day of October, 2019.

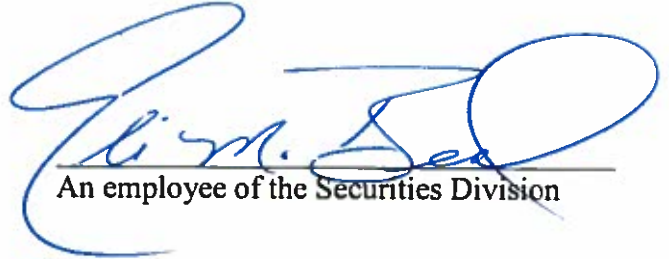
7
8 
9 Erin M. Houston, Securities Administrator
 Deputy Secretary of State for Securities

CERTIFICATE OF MAILING

I certify that I am an employee of the Office of the Nevada Secretary of State and that on this 22nd day of October, 2019, I have caused a copy of the foregoing **FINAL ORDER TO CEASE AND DESIST**, to be served by United States Certified Mail, Return Receipt Requested, and First Class Mail, to the following:

**Marcos Tamayo-Martinez Lisanna Corto
d/b/a Bored at Work
5112 Avenida del Luna
Las Vegas, NV 89119**

**Marcos Tamayo-Martinez
5112 Avenida del Luna
Las Vegas, NV 89119**


An employee of the Securities Division

STATE OF NEVADA
OFFICE OF THE SECRETARY OF STATE
SECURITIES DIVISION
555 E. WASHINGTON AVENUE, SUITE 5200
LAS VEGAS, NEVADA 89101

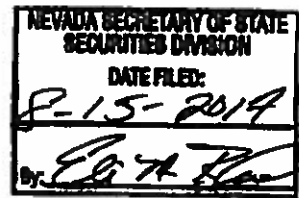
In the Matter of:

MARCOS TAMAYO-MARTINEZ LISANNA
CORTO, d/b/a BORED AT WORK, a Nevada
Partnership; MARCOS TAMAYO-MARTINEZ,
aka MARCOS TAMAYO, an individual,

Respondents.

NOTICE AND SUMMARY ORDER TO
CEASE AND DESIST

File No. 117-052-MCF



TO: Marcos Tamayo-Martinez Lisanna Corto
d/b/a Bored at Work
5112 Avenida del Luna
Las Vegas, NV 89119

Marcos Tamayo-Martinez
5112 Avenida del Luna
Las Vegas, NV 89119

**NOTICE OF SUMMARY ORDER TO CEASE AND DESIST,
INTENDED ACTION PURSUANT TO NRS 90.630(2),
AND OPPORTUNITY FOR HEARING PURSUANT TO NRS 90.630(3)**

YOU ARE HEREBY NOTIFIED that pursuant to the legal authority granted the Administrator of the Securities Division of the Office of the Secretary of State, State of Nevada ("Administrator"), specifically Nevada Revised Statute ("NRS") 90.630, the Administrator hereby issues this SUMMARY ORDER TO CEASE AND DESIST to Respondents Marcos Tamayo-Martinez Lisanna Corto, d/b/a Bored at Work ("BAW"), and Marcos Tamayo-Martinez aka Marcos Tamayo ("Tamayo").

YOU ARE HEREBY FURTHER NOTIFIED that you have a right to request a hearing on the matters set forth in the Summary Order. If you do not request a hearing in writing within 45 days after receipt of this notice, you waive your right to a hearing and the Administrator may issue a permanent order. Should you request a hearing, the Administrator shall set the matter for hearing at her earliest convenience but not less than

1 15 days or more than 60 days after she receives written notice of that request for a hearing
2 Should you request a hearing, the Administrator will notify you by registered or certified
3 mail of the time and place set for the hearing.

4 **YOU ARE HEREBY FURTHER NOTIFIED** that the Nevada Securities Division, in
5 addition to seeking a Final Order to Cease and Desist, may also seek any of the sanctions
6 allowed pursuant to NRS 90.630, and may seek to hold Respondent liable for the costs of
7 the investigation in this matter if this matter should proceed to hearing. The Nevada
8 Securities Division does not waive the right to seek criminal prosecution pursuant to NRS
9 90.570 or 90.650.

10 **YOU ARE HEREBY FURTHER NOTIFIED:**

11 **NRS 90.650, Criminal penalties.**


12 1. A person who willfully violates:

- 13 (a) A provision of this chapter, except NRS 90.600, or who violates NRS 90.600
14 knowing that the statement made is false or misleading in any material respect;
15 (b) A regulation adopted pursuant to this chapter; or
16 (c) An order denying, suspending or revoking the effectiveness of registration or an
17 order to cease and desist issued by the Administrator pursuant to this chapter,
18 is guilty of a category B felony and shall be punished by imprisonment in the state prison for
19 a minimum term of not less than 1 year and a maximum term of not more than 20 years, or
20 by a fine of not more than \$500,000, or by both fine and imprisonment, for each violation. In
21 addition to any other penalty, the court shall order the person to pay restitution.

22 2. A person convicted of violating a regulation or order under this chapter may be fined, but
23 must not be imprisoned, if the person proves lack of knowledge of the regulation or order.

24 3. This chapter does not limit the power of the State to punish a person for conduct which
25 constitutes a crime under other law.
26
27
28

NEVADA SECURITIES DIVISION
OFFICE OF THE SECRETARY OF STATE


DIANA J. FOLEY
ADMINISTRATOR OF THE SECURITIES DIVISION

SUMMARY ORDER TO CEASE AND DESIST

1. The Securities Division of the Office of the Secretary of State, State of Nevada ("Division"), under the authority of Nevada Uniform Securities Act ("Act"), codified in Chapter 90 of the Nevada Revised Statutes ("NRS"), conducted an investigation into the activities of Respondents in connection with the applicable laws governing the registration of securities and the regulation of broker-dealers and investment advisers in the State of Nevada.

2. The Administrator is authorized to enter a Summary Order to Cease and Desist pursuant to NRS 90.630(1).

3. The Administrator has reviewed the Complaint for Summary Order and Final Order to Cease and Desist and Other Appropriate Relief ("Complaint") filed on August 15, 2017, against Respondents in the above-entitled matter. A copy of the Complaint is attached hereto and incorporated herein by reference.

4. For the limited purpose of this Summary Order to Cease and Desist, the Administrator accepts all factual allegations set forth in the Complaint as true and finds that a Summary Order to Cease and Desist is in the public interest and necessary to protect the public from potential financial harm by unlicensed persons acting as an investment advisor or representatives of an investment advisor.

FINDINGS OF FACT

1. The factual allegations of the Complaint are accepted as true for the limited purposes of this Summary Order to Cease and Desist and are hereby incorporated herein by reference.

2. The Administrator further finds that a Summary Order to Cease and Desist is in the public interest and necessary to protect the public from potential financial harm by unlicensed persons acting as an investment advisor or representatives of an investment advisor.

///

///

1 **CONCLUSIONS OF LAW**

2 Respondents have violated and continue to violate NRS 90.330 by acting as an
3 unlicensed investment adviser and/or an unlicensed representative of an investment
4 adviser.

5 **SUMMARY ORDER**

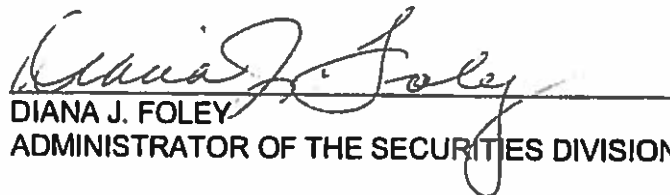
6 Based upon the foregoing Findings of Fact and Conclusions of Law, and the
7 Administrator's findings that Respondents pose an immediate danger to the public welfare
8 because Respondents are actively engaging in violations of the Act and intend to violate
9 said Act in the future, Respondents are hereby ordered to immediately Cease and Desist
10 from further activities in violation of NRS 90.330 until Respondents are properly licensed.
11 This Summary Order to Cease and Desist is effective upon signing.

12 IT IS SO ORDERED.

13 DATED this 15th day of August, 2017.



NEVADA SECURITIES DIVISION
OFFICE OF THE SECRETARY OF STATE


DIANA J. FOLEY
ADMINISTRATOR OF THE SECURITIES DIVISION

STATE OF NEVADA
OFFICE OF THE SECRETARY OF STATE
SECURITIES DIVISION
555 E. WASHINGTON AVENUE, SUITE 5200
LAS VEGAS, NEVADA 89101

In the Matter of:

MARCOS TAMAYO-MARTINEZ LISANNA
CORTO, d/b/a BORED AT WORK, a
Nevada partnership; MARCOS TAMAYO-
MARTINEZ, aka MARCOS TAMAYO, an
individual,

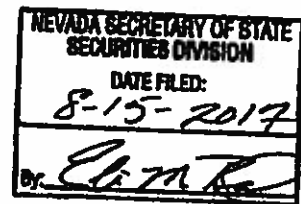
COMPLAINT FOR SUMMARY
ORDER AND FINAL ORDER TO
CEASE AND DESIST AND OTHER
APPROPRIATE RELIEF

File No. 117-052-MCF

Respondents.

TO: Marcos Tamayo-Martinez Lisanna Corto
d/b/a Bored at Work
5112 Avenida del Luna
Las Vegas, NV 89119

Marcos Tamayo-Martinez
5112 Avenida del Luna
Las Vegas, NV 89119



**COMPLAINT FOR SUMMARY ORDER AND FINAL ORDER
TO CEASE AND DESIST AND OTHER APPROPRIATE RELIEF**

COMES NOW, the Securities Division of the Office of the Secretary of State, State of Nevada ("Division"), and as and for its complaint against the above-named Respondents for violations of the Nevada Uniform Securities Act, as codified in Chapter 90 of the Nevada Revised Statutes, alleges as follows:

PARTIES

1. Respondent Marcos Tamayo-Martinez Lisanna Corto ("Bored at Work") is a Nevada non-Title 7 partnership, filed with the Commercial Recordings Division of the Office of the Secretary of State, State of Nevada, on December 16, 2016, NV Business ID number NV20161730143, with associated business name "Bored at Work." Marcos

1 Tamayo-Martinez Lisanna Corto filed the fictitious firm name ("FFN") "Bored at Work"
2 with the Clark County Clerk's Office on December 19, 2016, instrument number
3 201612191137141.

4 2. Upon information and belief, Respondent Marcos Tamayo-Martinez, aka
5 Marcos Tamayo ("Tamayo") is an individual residing in the State of Nevada.

6 3. A review of records maintained on-line by the Financial Industry
7 Regulatory Authority ("FINRA") Central Registration Depository ("CRD") reflect that
8 Bored at Work has never been licensed in any capacity as a broker-dealer or an
9 investment adviser.

10 4. A review of records maintained on-line by FINRA CRD reflect that Tamayo
11 has never been licensed in any capacity as a registered sales representative or a
12 representative of an investment adviser.

13 5. In a Facebook posting dated December 17, 2015, on the "BORED AT
14 WORK Project (SWA Retirement 101)" page, Tamayo provided in pertinent part, "This
15 post here, is to make it clear to all current and future members of this group that I am
16 not a a [sic] Registered Representative with the SEC or any other Financial acronym for
17 that matter." In the Facebook post, Tamayo defined "registered representative" as "a
18 person who works for a brokerage company that is licensed by the Securities and
19 Exchange Commission (SEC) and acts as an account executive for clients trading
20 investment products such as stocks, bonds and mutual funds." Tamayo continued,
21 adding "to become licensed as a Registered Representative to act as an agent in the
22 buying and selling of securities, a person must pass the Series 7 and Series 63
23 securities examinations, and be registered with a member of the Financial Industry
24 Regulatory Authority (FINRA) or a self-regulatory organization (SRO)."

25 **STATUTORY BACKGROUND**

26 6. The Nevada Uniform Securities Act ("Act") is codified in Chapter 90 of the
27 Nevada Revised Statutes ("NRS") and regulates the offer, sale, and purchase of
28 securities in the State of Nevada.

7. As set forth in NRS 90.330, it is a violation of the Act for any person to act as an investment adviser or a representative of an investment adviser without being licensed or exempt from licensing under the Act.

8. NRS 90.250 defines an "investment adviser" as "a person who, for compensation, engages in the business of advising others as to the value of securities or as to the advisability of investing in, purchasing, or selling securities, or who, for compensation and as part of a regular business, issues or promulgates analyses or reports concerning securities."

9. NRS 90.278 defines a "representative of an investment adviser" as "any person employed by or associated with an investment adviser who (a) provides advice concerning securities; (b) manages accounts or portfolios of clients; (c) determines the advice concerning securities that is offered to clients; (d) solicits for the sale of investment advice...; (e) sells, offers to sell, or negotiates for the sale of investment advice..."

10. As set forth in NRS 90.630(1), if the Administrator of the Division reasonably believes that a security is being offered or has been offered or sold in violation of the Act or that a person is acting as a broker-dealer or investment adviser in violation of the Act, the Administrator may issue, without a prior hearing, a summary order against the person engaged in the prohibited activities, directing such person to desist and refrain from further activity until the security is registered or such person is licensed under the Act.

FACTUAL BACKGROUND

11. On or about June 27, 2017, the Division was made aware of the activities of Bored at Work and Tamayo through Facebook postings made on Tamayo's publically-accessible personal page and pages associated with Bored at Work, including "The BORED AT WORK Project (SWA Retirement 101)" ("BAW") a Closed Group with 7,332 members as of August 14, 2017, and the publically-accessible

1 unofficial page for "Sweatshop," which Facebook geo-located in the vicinity of Tamayo's
2 home address, and which Tamayo frequently referenced in 2015.

3 12. In the "Description" column for BAW, Tamayo posted "About me: I worked
4 for [Airline] for 16 years from Nov 2000 thru Jan 22nd 2017 when I official retired from
5 the Ramp Life in [Las Vegas] so that I could dedicate most of everyday to assist
6 everyone who seeks some form of better understanding with all things retirement
7 accounts."

8 13. On or about July 28, 2016, Tamayo posted two pictures on his personal
9 Facebook page, with the caption "in under 1 year 100k in growth.. [sic] timing is
10 everything. knowing when to walk with cash in hand. Gotta love it when a plan comes
11 together.. [sic]. The first picture was a screenshot showing \$825,055.60 "Total account
12 balance as of 12/22/15," with subcategories "[Airline] 401(k) Plan" reflecting a balance
13 of \$509,400.77, and "[Airline] ProfitSharing Plan" reflecting a balance of \$315,654.83.
14 The second picture was a screenshot showing \$926,100.84 "Total account balance as
15 of 7/28/16," with subcategories "[Airline] 401(k) Plan" reflecting a balance of
16 \$569,082.33, and "[Airline] ProfitSharing Plan" reflecting a balance of \$357,018.51.

17 14. Comments are found on numerous different posts made by Tamayo, such
18 as a comment posted on January 18, 2017, at 2:43 pm by G.P., "I need some help with
19 my 401k, it is on the same spot for the las [sic] 4 years, no growth. Any one has any
20 input?" At 3:18 pm, R.A. replied, "Talk to [Tamayo]. He will help you out bro." On July
21 29, 2016, at 8:44 am, J.C.T. commented, "Thank You for taking care of our
22 retirement!!!! You are AWESOME!!!!"

23 15. On April 3, 2016, at 5:06 pm, M.A. commented, "Dang. Jealous Thinking
24 how much more mine would be if I had found you sooner. You got 380,000 grand on
25 me." Tamayo replied at 5:28 pm, "And growing...lol," to which M.A. responded, "Yessir.
26 Thanks to you."

27 ///

28 ///

1 16. On November 8, 2016, at 9:46 pm, J.V. posted, "[Tamayo], Let me know
2 how to get your help with my investments Thanks," to which Tamayo replied at 9:50
3 pm, "sending you a message now."

4 17. On March 18, 2016, at 2:04 pm, M.R. posted, "Do I sit pretty and wait for
5 you to move my \$\$, [Tamayo]?" At 2:07 pm, after a brief exchange of pleasantries,
6 Tamayo replied, "yes you just sit back and enjoy the ride."

7 18. On October 25, 2015, Tamayo posted, "So the last bean has been
8 counted...all added up and everything. HOW DO YOU SAY ALL MY MEMBERS NOW
9 HAVE NEW HIGHS IN THEIR RETIREMENT ACCOUNTS.."

10 19. On July 24, 2015, Tamayo posted, "So the final numbers are in and this is
11 the RESULT OF THE SALE FROM OUR 401K INVESTMENTS...A 15 month period
12 from \$54 to \$67.36...THE GRAND TOTAL OF PROFIT FOR ALL IN THE BORED AT
13 WORK PROJECT IS \$11,835,868. Now the increase in our 401k's in a 19 month
14 period (from 1/1/2014 thru 7/2015) is \$15,923,619...Well, safe to say we (all 400+
15 whom have faith and trust in my decisions) are going in the right path."

16 20. On October 25, 2015 (reposted as a memory on October 25, 2016),
17 Tamayo posted, "Here are the totals for 2015...From the latest transaction we sold in
18 our profitsharing [Airline] stock. We go in at \$23.46 and we sold at \$44.03...The total
19 profit from that sale is \$22,315,988.....that's one giant Money Cake...and it got split 511
20 ways. The smallest slice \$7...and the largest is \$178,000...emails should go out later
21 today. ALL ACCOUNTS ARE AT NEW HIGHS!!!!!! Together with our 401k sale from
22 July's profit of \$11,835,575...Bored At Work people we are at a profit of \$34,151,856
23 for the 2015 year."

24 21. On July 28, 2017, at 10:31 pm, A.V. posted on the BAW page, "I just came
25 across this page and I'm only 16 months into my [Airline] career. I'm 39 and this is my
26 first job with a 401k and these types of options. Any advice on how to start or what not
27 to either join the pay page or whatever I need to do to start to build for my retirement."
28 J. commented on July 29, 2017, at 5:21 am, "[Tamayo] is where you start. Join Bored

1 at Work Project on facebook." E. commented at 9:40 am, "Sign up with [Tamayo] to
2 manage your 401k."

3 22. On July 19, 2017, at 8:28 pm, S.L. commented, "I want to pay you to look
4 at my stuff...as long as it's not an arm and two legs. Let me know how much it is,
5 please. Msg me please." Tamayo replied at 8:43 pm, "message sent."

6 23. In July 2017, B.L. contacted Tamayo via Facebook Messenger to ask
7 about Tamayo's services. Tamayo replied, "I do all the work for you. What I do is take
8 over the retirements accounts and do all the work for you. All the research, all the
9 buying and selling of the shares when these mutual funds hit the price it set. ... Once
10 done with all, then I send out an email with all the numbers so that you can read the
11 results and how much you profited from the investment. Once done, I then begin the
12 research process to look into the funds to find the next fund to put the money back to
13 work in. The going rate for the 12 month membership is \$300."

14 24. For payment instructions, Tamayo directed B.L. to
15 <https://boredatworkproject.com>, and instructed B.L. to "click on the shop tab, you will
16 get a drop down box, click membership, then on the next page it's option #4." The
17 website <https://boredatworkproject.com/product-category/membership/> contains four (4)
18 different "Membership Packages," described only as "Bored At Work Membership Pkg,"
19 followed by a number: "Pkg #1" costs \$50.00, "Pkg #2" costs \$100.00, "Pkg #3 costs
20 \$250.00, and "Pkg 4" costs \$300.00.

21 25. Based upon information and belief, "Members" provide Tamayo with their
22 usernames and passwords to access and manage their [Airline] 401k account on-line.

23 26. According to a WHOIS search, the domain boredatworkproject.com was
24 registered to Tamayo on May 17, 2016, was last updated on February 24, 2017, and
25 expires on May 17, 2026.

26 27. According to records maintained by the Division, Bored at Work is not
27 licensed as an investment adviser in the State of Nevada.
28

28. According to records maintained by the Division, Tamayo is not licensed as a representative of an investment adviser in the State of Nevada.

COUNT 1

(Unlicensed Investment Adviser)

29. The Division realleges and incorporates by reference paragraphs 1 through 28 above as if set forth fully herein.

30. Bored at Work is engaging in the business of advising others as to the value of securities or as to the advisability of investing in, purchasing, or selling securities, or who, for compensation and as part of a regular business, issues or promulgates analyses or reports concerning securities, and therefore, Bored at Work's activities fall within the definition of an "investment adviser" under NRS 90.250.

31. Bored at Work has violated and continues to violate NRS 90.330 by acting as an unlicensed investment adviser.

COUNT II

(Unlicensed Representative of an Investment Adviser)

32. The Division realleges and incorporates by reference paragraphs 1 through 31 above as if set forth fully herein.

33. Tamayo is associated with an investment adviser who provides advice concerning securities, manages accounts or portfolios of clients, determines the advice concerning securities that is offered to clients, solicits for the sale of investment advice, and sells, offers to sell, or negotiates for the sale of investment advice; therefore, Tamayo's activities fall within the definition of an "representative of an investment adviser" under NRS 90.278.

34. Tamayo has violated and continues to violate NRS 90.330 by acting as an unlicensed representative of an investment adviser.

/// .

///

1
2
3 **REQUEST FOR RELIEF**

4 Based upon the foregoing, the Division respectfully requests the following:

- 5 1. That a Summary Order be entered requiring Respondents to Cease and
6 Desist from violating the licensing and registration provisions of the Act;
7 2. That a Final Order be entered requiring Respondents to Cease and Desist
8 from violating the licensing and registration provisions of the Act;
9 3. That a civil penalty not to exceed \$25,000.00 be imposed against
10 Respondents for each violation of the Act;
11 4. Reasonable attorney's fees and costs of investigation; and
12 5. For such other and further relief as the hearing officer deems just and
13 proper.

14 Dated this 15th day of August, 2017.



NEVADA SECURITIES DIVISION
OFFICE OF THE SECRETARY OF STATE



DIANA J. FOLEY
ADMINISTRATOR OF THE SECURITIES DIVISION