

ENFORCEMENT AND INVESTOR PROTECTION DEPARTMENT

SEC ADVISORY

Based on report and information gathered by the Commission, an online platform under the name **FEZZO/FEZZOGAMING.COM/FEZZO.NET/FEZZO FINANCIAL ADVISORY HOLDING OPC** founded by its owner **SHERRYL CORDERO ATIENZA** is found to be engaged in investment-taking activities in the Philippines which is **NOT AUTHORIZED** by the Commission. To show:



LIVE WEBINAR

OUR TOPIC

FEZZO GAMING
WINNING MOMENTS
ENDLESS EXCITEMENT
YOUR LUCK STARTS HERE...
WHAT IS FEZZOGAMING?
HOW IT WORKS?

Sherryl Atienza
CEO & Founder

Date: 06 March, 2024 | Time: 07:00pm | Venue: Zoom

www.fezzogaming.com
www.fezzo.net | sherrylatienza@fezzo.net | 0997-140-5853




SHERRYL ATIENZA
CEO & FOUNDER

TOPIC:
**“ FEZZO
OFFERINGS ”**


 Date
11 March, 2024

 Time
07:00pm

 Venue
Zoom

 www.fezzogaming.com
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 sherrylatienza@fezzo.net

 0997-140-5853

The instant case stemmed from the inquiries and reports from the public regarding the alleged illegal investment-taking activities of **FEZZO/FEZZOGAMING.COM/FEZZO.NET/FEZZO FINANCIAL ADVISORY HOLDING OPC.**

Based on the information gathered from open sources, **FEZZO/FEZZOGAMING.COM/FEZZO.NET/FEZZO FINANCIAL ADVISORY HOLDING OPC** markets itself as a digital casino junket operator that entices the public to invest a minimum amount of Php1,000.00 up to Php500,000.00 for a duration of 60 days with a daily return of investment of 6%. They also have a different package which requires a minimum amount of Php1,000.00 up to Php50,000.00 for a duration of 10 days with guaranteed 50% return of investment. To

illustrate:

The image displays two screenshots of the FEZZO website. The top screenshot features a green logo and the text 'FEZZO' in green. It lists investment details for 'JUNKET PLUS': R.O.I: 6% DAILY, DURATION: 60 DAYS WITH CAPITAL BACK, MINIMUM INVESTMENT: 1,000 PHP, and MAXIMUM INVESTMENT: 500,000 PHP. A green 'INVEST NOW' button with a hand cursor is visible. The bottom screenshot features a red logo and the text 'FEZZO' in red. It lists investment details for 'JUNKET ADVANCE': R.O.I: 50%, DURATION: 10 DAYS, MINIMUM INVESTMENT: 1,000 PHP, and MAXIMUM INVESTMENT: 50,000 PHP. A red 'INVEST NOW' button with a hand cursor is visible.

Applying the *Howey* Test,¹ **FEZZO/FEZZOGAMING.COM/FEZZO.NET/FEZZO FINANCIAL ADVISORY HOLDING OPC** so-called online investment packages being offered before the public is synonymous to an investment contract which is clearly under the Commission's regulatory power. Their activities involving the offer and sale of securities to the public where their investors need not exert any effort other than to invest or place money in its scheme in order to earn profit should be registered and controlled by the Commission.

¹ *Power Homes Unlimited vs. SEC* (G.R. No. 164182, February 26, 2008).

FEZZO/FEZZOGAMING.COM/FEZZO.NET is **NOT** registered with the Commission as a corporation or partnership. **FURTHER IT IS NOT AUTHORIZED** to solicit investment/placements from the public nor to issue investment contracts and other forms of securities since it has not secured prior registration and/or license from the Commission as prescribed under Sec. 8 and 28 of the Securities Regulation Code.

On the other hand, **FEZZO FINANANCIAL ADVISORY HOLDING OPC** is registered as a corporation but has not secured prior registration and/or license from the Commission to solicit investments from the public as prescribed under Sections 8, 12 and 28 of the Securities Regulation Code (SRC) in accordance with its Certificate of Incorporation.

Hence, the public is strongly advised **NOT TO INVEST** or **STOP INVESTING** in any scheme offered by **FEZZO/FEZZOGAMING.COM/FEZZO.NET/FEZZO FINANANCIAL ADVISORY HOLDING OPC** or such other entities similarly engaged in investment contracts without prior registration from the Commission.

The public is again reminded that investing in such an unregulated entity lacks investor protection because it is not covered by prudential and market conduct requirements applicable to licensed and authorized operations.

Accordingly, the Commission warns all unscrupulous individuals and/or entities that **strict penalties are imposed for violations of the Securities Regulation Code, the Revised Corporation Code, Financial Products and Services Consumer Protection Act (FCPA) and such other rules and regulation enforced by the Commission.**

Those who act as salesmen, brokers, dealers or agents of such unauthorized entities like the operators of the Facebook Page or other similar social media of **FEZZO/FEZZOGAMING.COM/FEZZO.NET/FEZZO FINANANCIAL ADVISORY HOLDING OPC** in selling or convincing people to invest in their CO-PARTNERSHIP INVESTMENT program offered including solicitations and recruitment through the internet may likewise be **criminally prosecuted for violation of Section 11 of the FCPA and Section 28 of the SRC which are both penalized separately with a maximum fine of Five Million pesos (P5,000,000.00) or a penalty of Twenty-one (21) years of imprisonment or both pursuant to Section 73 of the SRC.**

In the same manner, those who invite or recruit others to join or invest in such venture or offer investment contracts or securities to the public similar to and the operators of the **FEZZO/FEZZOGAMING.COM/FEZZO.NET/FEZZO FINANCIAL ADVISORY HOLDING OPC** may incur criminally liability, or otherwise be sanctioned or penalized accordingly as held by the Supreme Court in the case of *SEC vs. Oudine Santos* (G.R. No. 195542, 19 March 2014).

The names of all those involved will also be reported to the Bureau of Internal Revenue (BIR) so that the appropriate penalties and/or taxes be assessed correspondingly.

Should you have any information regarding any investment solicitation activity by any individual or group of individuals representing **FEZZO/FEZZOGAMING.COM/FEZZO.NET/FEZZO FINANCIAL ADVISORY HOLDING OPC**, please send your report to the EIPD at epd@sec.gov.ph.

For the guidance of the public.

Makati City, 2 April 2024.