



STATE OF MISSOURI
OFFICE OF SECRETARY OF STATE

IN THE MATTER OF:)	
)	
THUNDERSTRUCK INVESTMENTS LIMITED)	
d/b/a TRADETHUNDER.COM,)	
)	
<i>Respondent.</i>)	Case No.: AP-16-35
)	
Serve:)	
)	
Thunderstruck Investments Limited)	
3rd floor, C&H Towers)	
Corner of Great Marlborough & Great Georges Street)	
Roseau 00152)	
Commonwealth of Dominica)	
)	
and via e-mail: support@tradethunder.com)	

**ORDER TO CEASE AND DESIST AND ORDER TO SHOW CAUSE WHY
RESTITUTION, CIVIL PENALTIES, AND COSTS SHOULD NOT BE IMPOSED**

On September 22, 2016, the Enforcement Section of the Missouri Securities Division of the Office of Secretary of State (“Enforcement Section”), through Director of Enforcement John Phillips, submitted a Petition for Order to Cease and Desist and Order to Show Cause why Restitution, Civil Penalties, and Costs Should not be Imposed (“Petition”). After reviewing the Petition, the Commissioner issues the following order:

I. ALLEGATIONS OF FACT

The Petition alleges the following facts:

A. Introduction

1. The Petition alleges that Thunderstruck Investments Limited, d/b/a Tradethunder.com, an online binary options trading website, has been available to Missouri investors since at least 2015. Tradethunder.com’s website offers high returns and guaranteed withdrawals in the trade of binary options—securities and/or commodities contracts whereby the investor places all or nothing bets on the direction of the value of a particular security or

commodity. Neither Tradethunder.com nor its parent company Thunderstruck Investments Limited is registered to offer and/or sell securities or commodities.

B. Respondents and Related Parties

2. Tradethunder.com is a website that is purported to be owned by Thunderstruck Investments Limited, based in Roseau, Dominica.
3. As used herein, the terms “Respondent” and/or “Tradethunder” refer to Thunderstruck Investments Limited d/b/a Tradethunder.com.
4. At all times relevant to this matter, Respondent has never been registered in Missouri as an investment adviser, investment adviser representative, broker-dealer, broker-dealer agent, and/or issuer agent.
5. At all times relevant to this matter, there was no registration, granted exemption, or notice filing indicating status as a “federal covered security” for the securities offered by Respondent.
6. According to the National Futures Association’s BASIC database, at all times relevant to this matter, Respondent was not registered as any type of commodity merchant or intermediary in connection with futures trading.¹

C. Enforcement Section Investigation

7. On or around May 5, 2016, the Enforcement Section opened an investigation on Tradethunder and emailed a written request for information to Tradethunder at support@Tradethunder.com. The letter asked for, among other things, a list of all Missouri investors who invested with or had an account with Tradethunder.
8. The Enforcement Section never received a response regarding the emailed written request for information.
9. On July 20, 2016, the Enforcement Section created an account from the State of Missouri, with Tradethunder using a decoy identity (“Decoy”). The Decoy e-mail account received an email from compliance@tradethunderservice.com, asking for a proof of ID document, a proof of address document, a “proof of payment” document (a photocopy of a credit card, both front and back), and a “Declaration of Deposits” form to complete the opening of the account with Tradethunder. None of the requested information was submitted to Tradethunder.
10. However, approximately ten minutes later, an email was received in the Decoy email account from info@tradethunderservice.com that contained among other things, the following:

¹ BASIC is the database where futures commission merchants or intermediaries must register in order to be considered registered with the Commodities Futures Trading Commission.

- a. confirmation the registration of the Decoy account was now complete at Tradethunder.com;
 - b. that the Decoy account was “only a few clicks away from starting your trading experience with TradeThunder!”;
 - c. instructions on how to access the new Decoy account by going to Tradethunder.com; and
 - d. an active link/button titled “DEPOSIT NOW!”.
11. From August 9, 2016 to September 8, 2016, the Decoy account received at least 26 emails from Tradethunder which contained among other things, “Trading Signals” and “Trading Tips.”
 12. On July 27, 2016 and August 1, 2016, an investigator with the Enforcement Section placed calls to the telephone number purported to be in the U.S. on Tradethunder’s website. On both occasions a recorded voice answering service message stated that Tradethunder had been reached, but no one was available to take the call.
 13. On both occasions the investigator left a voice message stating: (a) who the investigator was; (b) that the investigator was with the Enforcement Section; (c) that the investigator was calling to discuss the Enforcement Section’s written request for information emailed to Tradethunder on May 5, 2016; and (d) that the investigator needed a representative from Tradethunder to return his call.
 14. As of September 22, 2016, Tradethunder has not responded to the Enforcement Section’s written request for information or returned the telephone calls.

D. Tradethunder.com

15. As of September 22, 2016, Tradethunder.com states and/or contains the following:
 - a. “TradeThunder was founded in 2015 based on the principle that the trader comes first. . .”;
 - b. “From free demo account to one click trading you will find a binary options broker that is truly different. . .”;
 - c. “With over 80 assets available in the four major asset classes which include stocks, commodities, currencies and indices to trade and trades as low as \$1 you will find that TradeThunder is the perfect place to trade binary options. . .”;
 - d. “Up to 100% bonus. Unique bonus structure with absolutely NO withdrawal restrictions!”;

- e. “CALL NOW”, in the USA “+1-646-755-6101”;
- f. Payments accepted by Visa, MasterCard, and bank wire transfers;
- g. “New at TradeThunder? We will help you get off on the right foot. Deposit \$500 or more and then contact customer support to receive your risk-free trades. . .”;
- h. “Improve your results by educating yourself on the nature of binary options and how to trade successfully through our Education Center.”;
- i. “Just ONE Decision, High or Low, and You’re Read To Go” [sic]; and
- j. “Take the trading world by storm with our revolutionary Oneclick feature.”

E. Additional Findings

- 16. In connection with the offer of securities and/or commodities, Respondent did not disclose, among other things, the following:
 - a. that Respondent was not registered to offer or sell securities/commodities in the State of Missouri;
 - b. that the securities/commodities were not registered or exempt from registration in the State of Missouri; and
 - c. that Respondent was not registered with the Commodity Futures Trading Commission.

II. COMMISSIONER’S DETERMINATIONS AND FINDINGS

Multiple Violations of Offering and Selling Unregistered, Non-Exempt Securities.

- 17. **THE COMMISSIONER DETERMINES** that Respondent offered unregistered, non-exempt securities in the State of Missouri when Respondent offered binary options to Missouri residents in exchange for money.
- 18. This activity constitutes an “offer to sell” as that term is define in Section 409.1-102(26), RSMo (2013)².
- 19. “[P]ut, call, straddle, option, or privilege entered into on a national securities exchange relating to foreign currency” is enumerated in the list of items that are securities in Section 409.1-102(28).

² Unless otherwise specified, all statutory references are to the 2013 cumulative supplement to the Revised Statutes of Missouri.

20. The investments Respondent offered to Missouri residents are either binary options deriving whatever value may have existed from an underlying asset, or a commodity or foreign currency. The investments offered were securities as that term is defined in Section 409.1-102(28).
21. At all times relevant to this matter, there was no registration, granted exemption, or notice filing indicating status as a “federal covered security” for the securities offered by Respondent.
22. Respondent offered securities in Missouri without these securities being (1) a federal covered security, (2) exempt from registration under Sections 409.2-201 or 409.2-203, or (3) registered under the Missouri Securities Act of 2003.
23. Respondent offered unregistered securities in violation of Section 409.3-301.
24. Respondent’s actions in violation of Section 409.3-301 constitute an illegal act, practice, or course of business, and such conduct is, therefore, subject to the Commissioner’s authority under Section 409.6-604.

Multiple Violations of Transacting Business as an Unregistered Broker-Dealer

25. **THE COMMISSIONER FURTHER DETERMINES** that Respondent transacted business as an unregistered, non-exempt broker-dealer in the State of Missouri by engaging in the business of effecting transactions in securities for the account of others.
26. These activities constitute transacting business as a broker-dealer in the State of Missouri under Section 409.1-102(4).
27. At all times relevant to this matter, Respondent was not registered as a broker-dealer either with the Securities and Exchange Commission or with the State of Missouri.
28. Respondent transacted business in Missouri without being registered or exempt from registration as a broker-dealer in violation of Section 409.4-401(a).
29. Respondent’s actions in violation of Section 409.4-401(a) constitute an illegal act, practice, or course of business, and such conduct is, therefore, subject to the Commissioner’s authority under Section 409.6-604.

Multiple Violations of Offering Prohibited Commodities Contracts

30. **THE COMMISSIONER FURTHER DETERMINES** that Respondent offered to enter into, entered into, or confirmed the execution of, foreign currency commodity contracts and foreign currency commodity options contracts with Enforcement Section personnel who were Missouri residents, without being exempt or excluded pursuant to Sections 409.803.2 and 409.806 RSMo (2000), when, among other things, Respondent solicited investments in accounts where currency and currency options trading was to occur.

31. This activity constitutes an “offer” or “offer to sell” as those terms are defined in Section 409.800(11), RSMo (2000).
32. Respondent offered commodity contracts and commodity option contracts as those terms are defined in Sections 409.800(5) and (9), RSMo (2000).
33. Respondent offered to enter into, entered into, or confirmed the execution of, foreign currency commodity contracts and foreign currency commodity option contracts in violation of Section 409.803(1), RSMo (2000).
34. The actions of Respondent in offering prohibited commodities contracts constitute an illegal act or practice and, thus, such actions are subject to the Commissioner’s authority under Section 409.823, RSMo (2000).

**Multiple Violations of Engaging in Unregistered and/or Unlicensed
Commodity Merchant Business**

35. **THE COMMISSIONER FURTHER DETERMINES** that Respondent engaged in the commodity merchant business with, among others, a Missouri resident when, among other things, Respondent failed to register with the Commodity Futures Trading Commission as required to qualify as a registered commodity merchant.
36. This activity constitutes engaging in a trade or business or otherwise acting as a commodity merchant as that term is defined in Section 409.800(8), RSMo (2000).
37. **THE COMMISSIONER FURTHER DETERMINES** that Respondent created and maintained a board of trade, or place for the trading of commodity contracts or commodity option contracts required to be traded on or subject to the rules of a contract market designated by the Commodity Futures Trading Commission and which had not been so designated when, among other things, Respondent created a trading platform for the buying or selling of commodities contracts and commodity option contracts.
38. This activity constitutes acting as a board of trade as that term is defined in Section 409.800(2), RSMo (2000).
39. Respondent conducted unregistered commodity merchant business in violation of Sections 409.808.1 and 409.808.2, RSMo (2000).
40. The actions of Respondent in conducting unregistered commodity merchant business constitute an illegal act or practice and thus such actions are subject to the Commissioner’s authority under Section 409.823, RSMo (2000).
41. This order is in the public interest and is necessary to carry out the provisions of the Missouri Securities Act of 2003 and Sections 409.800 to 409.863, RSMo (2000).

III. ORDER

NOW THEREFORE, it is hereby ordered that Respondent, its agents, employees and servants, and all other persons participating in or about to participate in the above-described violations with knowledge of this order be prohibited from violating or materially aiding in any violation of:

- A. Section 409.3-301 by offering or selling any securities as defined by Section 409.1-102(28), in the State of Missouri unless those securities are registered with the Securities Division of the Office of the Secretary of State in accordance with the provisions of Section 409.3-301;
- B. Section 409.4-401(a) by transacting business as an unregistered broker-dealer firm;
- C. Section 409.803, RSMo (2000) by selling or purchasing, or offering to sell or purchase any commodity contract or any commodity option while not being registered with the applicable regulatory bodies; and
- D. Sections 409.808.1 and 409.808.2, RSMo (2000) by engaging in the trade or business or otherwise acting as a commodity merchant while not being registered or temporarily licensed with the Commodities Futures Trading Commission;

IV. STATEMENT

Pursuant to Section 409.6-604, the Commissioner hereby states that he will determine whether to grant the Enforcement Section's request for:

- A. \$10,000 civil penalty against Respondent for more than one violation of Section 409.3-301;
- B. \$1,000 civil penalty against Respondent for violating Section 409.4-401(a);
- C. an order against Respondent to pay restitution for any loss, including the amount of any actual damages that may have been caused by the conduct, and interest at the rate of 8% per year from the date of the violation causing the loss or disgorge any profits arising from the violation of Sections 409.3-301 and 409.4-401; and
- D. an order against Respondent to pay the costs of the investigation in this proceeding, awarding an amount to be determined after review of evidence submitted by the Enforcement Section.

Pursuant to Section 409.823, RSMo (2000), the Commissioner hereby states that he will determine whether to grant the Enforcement Section's request for:

- A. \$100,000 civil penalty against Respondent for multiple violations of Sections 409.803 and 409.808, RSMo (2000).

SO ORDERED:

WITNESS MY HAND AND OFFICIAL SEAL OF MY OFFICE AT JEFFERSON CITY,
MISSOURI THIS TWENTY-NINTH DAY OF SEPTEMBER, 2016.



JASON KANDER
SECRETARY OF STATE

Andrew M. Hartnett

ANDREW M. HARTNETT
COMMISSIONER OF SECURITIES



STATE OF MISSOURI
OFFICE OF SECRETARY OF STATE

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Roseau 00152)	
Commonwealth of Dominica)	
)	
and via e-mail: support@tradethunder.com)	

NOTICE

TO: Respondent and any unnamed representatives aggrieved by this Order:

You may request a hearing in this matter within thirty (30) days of the receipt of this Order pursuant to Sections 409.6-604(b), RSMo. (Cum. Supp. 2013), 409.843 RSMo (2000), and 15 CSR 30-55.020.

Within fifteen (15) days after receipt of a request in a record from a person or persons subject to this order, the Commissioner will schedule this matter for a hearing.

A request for a hearing must be mailed or delivered, in writing, to:

Andrew M. Hartnett, Commissioner of Securities
Office of the Secretary of State, Missouri
600 West Main Street, Room 229
Jefferson City, Missouri, 65102

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of September, 2016, a copy of the foregoing Order to Cease and Desist and Order to Show Cause why Restitution, Civil Penalties, and Costs Should not be Imposed in the above styled case was **mailed by United States Registered mail and via e-mail to:**

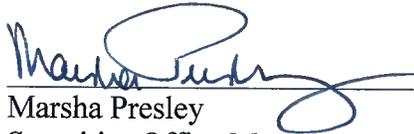
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3rd floor, C&H Towers
Corner of Great Marlborough & Great Georges Street
Roseau 00152
Commonwealth of Dominica

and via e-mail:

support@tradethunder.com

and hand delivered to:

John R. Phillips,
Director of Enforcement, Securities Division
Missouri Secretary of State's Office
600 West Main Street, Room 229
Jefferson City, Missouri 65101



Marsha Presley
Securities Office Manager