

STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
DIVISION OF FINANCE AND CORPORATE SECURITIES

In the Matter of

Case No. S-14-0042

DAYTRADINGBUDDY LLC and
REMZI BAJRAMI,

FINAL ORDER TO CEASE AND
DESIST, ORDER ASSESSING CIVIL
PENALTY, ENTERED BY DEFAULT

Respondents.

On August 28, 2014, the Director of the Department of Consumer and Business Services for the State of Oregon (the “Director”), acting under the authority of ORS 59.005 to 59.451, 59.991 and 59.995 (the “Oregon Securities Law”), and the Oregon Administrative Rules adopted thereunder, and ORS 183.415(3), duly served DayTradingBuddy LLC (“DayTradingBuddy”) and Remzi Bajrami (“Bajrami”), with true copies of Administrative Order S-14-0042, Order to Cease and Desist, Proposed Order Assessing Civil Penalty, and Notice of Right to a Administrative Hearing (the “Notice Order”). DayTradingBuddy and Bajrami are referred herein collectively as “Respondents”.

In accordance with OAR 137-003-0075, the Notice Order designated the Division’s file, including all materials submitted by the Respondents, as the record for the purpose of making a prima facie case in the event that the Director entered a final order against any Respondent by default.

The Respondents did not timely request a hearing.

Now, therefore, on consideration of the record, the Director issues the following Findings of Fact, Conclusions of Law and Final Order.





1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

I. FINDINGS OF FACT

The Director FINDS that:

1. DayTradingBuddy is an Oregon limited liability company with business offices located at 9139 SW West Haven Drive, Portland, Oregon 97225 and 1034 SW Taylor Street, Portland, Oregon 97205. DayTradingBuddy became registered with the Oregon Secretary of State, Corporation Division, on July 29, 2013.

2. Bajrami is the registered agent and member of DayTradingBuddy.

3. Barron’s Dictionary of Finance and Investment Terms defines “position” as it relates to investments as:

“investor’s stake in a particular security or market. A LONG POSITION equals the number of shares *owned*; a SHORT POSITION equals the number of shares *owed* by a dealer or an individual. The dealer’s long positions are called his *inventory of securities*. (Emphasis original). Downes, J., & Goodman, J. E., *Dictionary of Finance and Investment Terms* (8th ed. 2010) New York: Barron's.

Barron’s defines “day trade” as “purchase and sale of a position during the same day” and defines “day trader” as “person who makes DAY TRADES on a regular basis.” (Emphasis original). Id.

4. At times material to this Order, the Respondents offered investors, in exchange for compensation, certain advisory services including but not limited to “Live Real-Time Day Trading Alerts” and “real time trading ideas”. The Respondents delivered some of those services through social networking channels. Specifically, the Respondents delivered some of those services through the Respondents’ private Twitter feed, which is @DayTradingLive.

5. The Respondents offered investors at least three paid subscription



1 options for investors to access the content the Respondents published on the
2 Respondents' Twitter feed @ DayTradingLive. The type of content the
3 Respondents published through Twitter is sometimes referred to as a "Stock
4 Tweet". The Respondents charged subscribers fees that ranged from \$75 to \$99 per
5 month. The Respondents represented to subscribers: "You'll get exclusive access
6 to the day trading recommendations by Remzi Bajrami personally."

7 6. The Respondents advertised their business on their website,
8 daytradingbuddy.com. On August 12, 2014, the Respondents published on
9 daytradingbuddy.com certain content that includes but is not limited to the following:

10 We have perfected the Stock Tweet
11 Our Alerts + Trading Instruction = Consistent Monthly
12 Profits...

13 Live Real-Time Day Trading Alerts that have the potential
14 to move at least 3% and up to 50% or more during the
15 trading day. These alerts of USA stock market trading
16 opportunities are in high volume & high volatility stocks
17 found by DayTradingBuddy and his growing trader group.

18 These real-time alerts include instruction on how much %
19 volatility to expect... for example 1☆ = 1%-3%, 2☆= 5%-
20 10%, 3☆ = 10%+. Alerts also signal how much capital (\$)
21 you can put into each trade.

22 Subscribers receive our trading instruction on buying &
23 selling techniques and most importantly, trading
24 psychology: 'The Secret to Stock Market Trading Success'
25 will teach you when to buy and when to sell so you can
26 make consistent monthly profits just like
27 DayTradingBuddy.

28 All subscribers receive our report: 'The Secret to Stock
29 Market Trading Success' and complete trading education
30 teaching how to make consistent monthly profits...

31 Frequently Asked Questions

32 What does a Subscription include?



1 You'll get exclusive access to the day trading
2 recommendations by Remzi Bajrami personally. A paid
3 subscription includes trading instruction on buying &
4 selling techniques and most importantly, trading
5 psychology: 'The Secret to Stock Market Trading Success'
6 will teach you when to buy and when to sell so you can
7 make consistent monthly profits just like
8 DayTradingBuddy.
9 Subscribers also get discounts to Live Trading Events
10 hosted by Remzi.

11 What can I expect from DayTradingBuddy?

12 You can expect a personal hands on experience from
13 Remzi Bajrami and my dedicated group of traders. We
14 promise to work to help you learn how to day trade and
15 teach you how to become consistently profitable.

16 The Purpose of Trading is to make a Profit. Most Traders
17 you see on Twitter and elsewhere online usually focus
18 either on snagging a BIG score... or on getting a high
19 winning % ratio. Those two things are very appealing to
20 students... who doesn't want to see a huge five figure gain
21 on a single day trade (I've done it many times and so will
22 you in due time)... or seeing someone get a winning % of
23 like 80% on his trades. Those are indeed awesome. But
24 they are NOT important and do NOT determine whether or
25 not a Trader is *consistently* Profitable!

26 How can you trade for consistent profit you ask? Simple:
DO NOT LOSE lots of money on any single trade! Do you
think those other Twitter folks are telling you about all of
their losers? I don't think so. You need to be smarter than
that. Just realize, eventually you are going to get lucky and
make a killing on a trade. But what you DON'T want to
happen to you, is being stupid and reckless and getting
killed on a trade

Consistent Profitability = Using a Loss Limit for EVERY
Trade

IMPORTANT NOTICE: Stock trading involves risk. You
must be aware of the risks and be willing to accept them in
order to trade in the stock markets. Don't trade with money
you can't afford to lose. Nothing in our website shall be
deemed a solicitation or an offer to Buy or Sell stocks. No
representation is being made that any account will or is
likely to achieve profits or losses similar to those discussed

1 on our site. Also, the past performance of any trading
2 methodology is not necessarily indicative of future results.
3 DayTradingBuddy.com and employees are not registered
4 investment advisors, and make no such representations for
Investing. Our service is advisory based only, and the user
takes full responsibility for trading decisions and outcomes.

5 7. In 2014, the Respondents also published on daytradingbuddy.com a
6 page titled "Monday's Trading Results" which was purportedly posted on January
7 6, 2014, which states in part:

8 Today's Trading Results as Tweeted by us
9 @DayTradingLive:

10 5 winners and 1 Loser:

11 9:35 long \$EXXI under 24 here is good entry, nice gap
12 down

13 9:53 add to \$EXXI before it takes off (it was under \$24,
14 then started to move fast at 10am

15 **Result: Gain +3%**, didn't quite reach it's target of +5%
16 but moved up steadily

17 9:38 long \$WFM under 54 if it comes to us

18 **Result: Gain +1%**, target was 2%, possible to use large
19 capital in this large cap stock

20 9:43 ignoring \$BCOV bad news, broke 100 day but not
21 interested...unless it goes under 11, then maybe
22 (price was about 12.5 at the time of the tweet)

23 10:20 \$BCOV long, here in the 10.70s, to start

24 **Result: Gain +5%**, target was +8%...should've shorted it
25 first...

26 ...1:03 long \$KSU under 116, it's exactly at the 100 day
MA right now, honestly don't expect more than 1% or so
rebound so try to get lower price

Result: Gain +1/2%, target was 1%...large cap with big
volume

Losers:

10:09 long \$FSLR under 52 or just above, it looks good to
me

10:34 stopped \$FSLR here 51.5, will look to reenter under
51 or lower, will tweet if we enter long again





1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

Result: Loss 1/2%, never reentered lower, but it did bounce up \$1(2%) after hitting price of 51 (Emphasis original).

8. EXXI is the stock symbol for Energy XXI (Bermuda) Ltd. WFM is the stock symbol for Whole Foods Market Inc. BCOV is the stock symbol for Brightcove Inc. KSU is the stock symbol for Kansas City Southern. FSLR is the stock symbol for First Solar Inc.

9. At all times relevant to this order, DayTradingBuddy was not licensed to act as a state investment adviser in the state of Oregon.

10. At all times relevant to this order, Bajrami was not licensed to act as an investment adviser representative in the state of Oregon.

11. DFCS received an investor complaint regarding the Respondents' business activities. During April and May 2014, DFCS sent Bajrami written requests for information regarding the business activities of DayTradingBuddy. To date, the Respondents have not provided the information requested by DFCS.

12. In June 2014, DFCS issued a subpoena requiring the production of certain documents and business records regarding DayTradingBuddy. The DFCS subpoena was served on Bajrami in person on or about June 12, 2014. The due date for a response to the DFCS subpoena was June 30, 2014. To date, the Respondents have not produced any documents or records to DFCS in response to that subpoena.

II. CONCLUSIONS OF LAW

The Director CONCLUDES that:

13. During 2014, DayTradingBuddy acted as a "state investment adviser" as defined under ORS 59.015(20)(a)(A) in Oregon because it, for compensation, engaged in the business of advising others, either directly or by mail or through



1 publication or writing, as to the value of securities or as to the advisability of
2 investing in, purchasing or selling securities.

3 14. During 2014, DayTradingBuddy acted as a “state investment adviser”
4 as defined under ORS 59.015(20)(a)(C), because it, for compensation, issued or
5 promulgated, as part of a regular business in Oregon, analyses or reports
6 concerning securities.

7 15. DayTradingBuddy violated ORS 59.165(6)(a) because it transacted
8 business in Oregon as a “state investment adviser” when it was not licensed to do
9 so.

10 16. During 2014, Bajrami acted as an “investment adviser representative”
11 as defined under ORS 59.015(8)(a) to DayTradingBuddy because he was a
12 partner, officer, director, or person occupying a similar status or performing a
13 similar function for DayTradingBuddy, and Bajrami made recommendations or
14 otherwise rendered advice regarding securities; determined which
15 recommendation or advice regarding securities should be given; or solicited,
16 offered or negotiated for the sale of or sold investment advisory services.

17 17. Bajrami violated ORS 59.165(4)(c) because he acted as an “investment
18 adviser representative” for DayTradingBuddy in Oregon when he was not
19 licensed to do so.

21 III. ORDER

22 Now, therefore, the Director issues the following ORDER:

23 18. As authorized by ORS 59.245(4), the Director orders the Respondents
24 and any affiliated and/or successor business or corporation to CEASE AND
25 DESIST from violating any provision of the Oregon Securities Law and the
26 administrative rules promulgated thereunder.

Division of Finance and Corporate Securities
Labor and Industries Building
350 Winter Street NE, Suite 410
Salem, OR 97301-3881
Telephone: (503) 378-4387



1 19. The Director, pursuant to the authority under ORS 59.995, hereby
2 ASSESSES the following CIVIL PENALTY: The Respondents shall, jointly and
3 severally, pay a civil penalty of TWENTY THOUSAND DOLLARS (\$20,000)
4 for the violations of ORS 59.165(6)(a) and ORS 59.165(4)(c).

6 IV. DIRECTOR'S AUTHORITY TO SEEK OTHER REMEDIES

7 20. This Order is a "Final Order" under ORS 183.310 (6)(b). Subject to
8 that provision, the entry of this Order does not limit other remedies that are
9 available to the Director under Oregon law.

10 IT IS SO ORDERED.

11 Dated this 25 day of September, 2014.

12
13 PATRICK M. ALLEN, Director
Department of Consumer and Business Services

14
15 /s/ John Paul Jones DEPUTY ADMINISTRATOR for
16 David C. Tatman, Administrator
17 Division of Finance and Corporate Securities

18 NOTICE

19 Except as provided in ORS 59.295(2), you could be entitled to judicial
20 review of this Order. Any such appeal would take place before the Oregon Court
21 of Appeals (the "Court") pursuant to the provisions of ORS 183.482 – ORS
22 183.484. If you are entitled to judicial review, a petition for review must be filed
with the Court within 60 days from the date of service of this Order.

23 NOTICE TO ACTIVE DUTY SERVICE MEMBERS

24 Active duty service members have a right to stay these proceedings under
25 the federal Servicemembers Civil Relief Act. For more information contact the
26 Oregon State Bar at 800-452-8260, the Oregon Military Department at 800-452-
7500 or the nearest United States Armed Forces Legal Assistance Office through
<http://legalassistance.law.af.mil>.