

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO.: 23-cv-22791-KMW

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

**BRENT SEAMAN,
ACCANITO EQUITY, LLC,
ACCANITO EQUITY II, LLC,
ACCANITO EQUITY III, LLC,
ACCANITO EQUITY IV, LLC,
ACCANITO CAPITAL GROUP, LLC,
SURGE, LLC,
ACCANITO HOLDINGS, LLC,**

Defendants, and

SURGE CAPITAL VENTURES, LLC, et al,

Relief Defendants.

**[PROPOSED] ORDER GRANTING PLAINTIFF SECURITIES AND EXCHANGE
COMMISSION’S MOTION FOR ASSET
FREEZE AND OTHER RELIEF**

This cause came before the Court upon Plaintiff Securities and Exchange Commission’s Motion and Memorandum of Law for Asset Freeze and Other Relief, which seeks the following orders:

1. an Order freezing the assets of Brent Seaman, Accanito Equity, LLC, Accanito Equity II, LLC, Accanito Equity III, LLC, Accanito Equity IV, LLC, Accanito Capital Group, LLC, Surge, LLC, and Accanito Holdings, LLC (collectively, “Defendants”), and Surge Capital Ventures (“Relief Defendant”); and

2. an Order Prohibiting the Destruction of Records by Defendants.

The Court has considered all of the papers submitted in support of and in opposition to this Motion, and the arguments of the parties. The Court finds the Commission has made a sufficient and proper showing in support of the relief granted herein by presenting a *prima facie* case showing a reasonable approximation of the likely disgorgement award against the Defendants and Relief Defendant, which exceeds the amount of assets to be frozen. Accordingly, the Court finds good cause to believe that, unless it imposes an asset freeze, Defendants and Relief Defendant could dissipate, conceal or transfer from the jurisdiction of this Court assets that are likely subject to an Order of Disgorgement. The Court therefore orders as follows:

I.

ORDER FREEZING ASSETS

IT IS ORDERED that:

A. Defendants and Relief Defendant, their directors, officers, agents, servants, employees, attorneys, depositories, banks, insurance companies, and those persons in active concert or participation with any one or more of them, and each of them, who receive notice of this order by personal service, mail, facsimile transmission or otherwise, be and hereby are, restrained from, directly or indirectly, transferring, setting off, receiving, changing, selling, pledging, assigning, liquidating or otherwise disposing of, or withdrawing any assets or property, including but not limited to cash, free credit balances, fully paid for securities, crypto assets, and/or property pledged or hypothecated as collateral for loans, or charging upon or

drawing from any lines of credit, owned by, controlled by, or in the possession of Defendants and Relief Defendant.

B. Any financial or brokerage institution, or other person or entity holding any such funds or other assets, in the name, for the benefit or under the control of Defendants or Relief Defendant, directly or indirectly, held jointly or singly, and wherever located, and which receives actual notice of this order by personal service, facsimile, or otherwise, shall hold and retain within its control and prohibit the withdrawal, removal, transfer, disposition, pledge, encumbrance, assignment, set off, sale, liquidation, dissipation, concealment, or other disposal of any such funds or other assets, including, but not limited to, the following presently known accounts:

Institution	Account Number	Name
8 Cap Global LTD	6940	Surge, LLC
Alchemy Prime	8279	Surge, LLC
BMO Harris	XXXXXX8849	Accanito Capital Group
BMO Harris	XXXXXX4996	Surge, LLC
BMO Harris	XXXXXX3586	Accanito Capital Group
BMO Harris	XXXXXX8137	Accanito Equity I
BMO Harris	XXXXXX8351	Accanito Equity II
BMO Harris	XXXXXX8609	Accanito Equity III
BMO Harris	XXXXXX3459	Accanito Equity IV
BMO Harris	XXXXXX3207	Brent Seaman
BMO Harris	XXXXXX9718	Accanito Holdings
BMO Harris	XXXXXX3701	Surge Capital Ventures
BMO Harris	XXXXXX3357	Brent Seaman
Britannia Global Markets	X	Surge, LLC
FXCM	XXXXXX9210	Surge, LLC
FXCM	XXXXXX3546	Surge, LLC
Gain Capital	X	Brent Seaman
Gain Capital	XXXXXX1044	Surge, LLC
HanTec Market LTD	X	Surge, LLC
Oanda	7172	Brent Seaman
Oanda	X	Brent Seaman
Oanda	4605	Surge, LLC

PayPal	X	Brent Seaman
Pepperstone	3030	Surge, LLC
Scandinavian	6459	Surge, LLC
Think Capital LTD	X	Surge, LLC
Tradeview	X	Surge, LLC
Truist	X	Brent Seaman
VENMO	X	Brent Seaman

II.

RECORDS PRESERVATION

IT IS FURTHER ORDERED that Defendants, any of their directors, officers, agents, servants, employees, attorneys, depositories, banks, and those persons in active concert or participation with any one or more of them, and each of them, be and they hereby are restrained and enjoined from, directly or indirectly, destroying, mutilating, concealing, altering, disposing of, or otherwise rendering illegible in any manner, any of the books, records, documents, correspondence, brochures, manuals, papers, ledgers, accounts, statements, obligations, files and other property of or pertaining to any of the Defendants, wherever located and in whatever form, electronic or otherwise, until further Order of this Court.

III.

OTHER RELIEF

The Order Freezing Assets shall not apply to a receiver appointed by this Court over any Defendant and the Relief Defendant for the purposes of marshaling and preserving any and all assets of Defendants and Relief Defendant and those assets that: (a) are attributable to funds derived from investors or clients of Defendants and Relief Defendant; (b) are held in constructive trust for Defendants and Relief Defendant; (c) were fraudulently transferred by Defendants or Relief Defendant; and/or (d) may otherwise be includable under such

receivership as assets of Defendants and Relief Defendant. In addition, the Order Freezing Assets does not apply to property of an entity that has filed for bankruptcy and is not a Defendant or Relief Defendant.

IV. RETENTION OF JURISDICTION

IT IS FURTHER ORDERED that this Court shall retain jurisdiction over this matter, Defendants and Relief Defendant, in order to implement and carry out the terms of all Orders and Decrees that may be entered and/or to entertain any suitable application or motion for additional relief within the jurisdiction of this Court, and will order other relief that this Court deems appropriate under the circumstances.

DONE AND ORDERED at Chambers, in Miami, Florida, this ____ day of July, 2023.

KATHLEEN M. WILLIAMS
UNITED STATES DISTRICT JUDGE

Copies to: Counsel of record