

**UNITED STATES OF AMERICA**  
**Before the**  
**SECURITIES AND EXCHANGE COMMISSION**

**SECURITIES EXCHANGE ACT OF 1934**  
**Release No. 101149 / September 24, 2024**

**INVESTMENT ADVISERS ACT OF 1940**  
**Release No. 6724 / September 24, 2024**

**ADMINISTRATIVE PROCEEDING**  
**File No. 3-22170**

**In the Matter of**

**ERIC S.  
HOLLIFIELD,**

**Respondent.**

**ORDER INSTITUTING  
ADMINISTRATIVE PROCEEDINGS  
PURSUANT TO SECTION 15(b) OF THE  
SECURITIES EXCHANGE ACT OF 1934 AND  
SECTION 203(f) OF THE INVESTMENT  
ADVISERS ACT OF 1940, MAKING FINDINGS,  
AND IMPOSING REMEDIAL SANCTIONS**

**I.**

The Securities and Exchange Commission (“Commission”) deems it appropriate and in the public interest that public administrative proceedings be, and hereby are, instituted pursuant to Section 15(b) of the Securities Exchange Act of 1934 (“Exchange Act”) and Section 203(f) of the Investment Advisers Act of 1940 (“Advisers Act”) against Eric S. Hollifield (“Hollifield” or “Respondent”).

**II.**

In anticipation of the institution of these proceedings, Respondent has submitted an Offer of Settlement (the “Offer”) which the Commission has determined to accept. Solely for the purpose of these proceedings and any other proceedings brought by or on behalf of the Commission, or to which the Commission is a party, and without admitting or denying the findings herein, except as to the Commission’s jurisdiction over him and the subject matter of these proceedings and the findings contained in paragraphs III.B.2 and 3 below, which are admitted,

Respondent consents to the entry of this Order Instituting Administrative Proceedings Pursuant to Section 15(b) of the Securities Exchange Act of 1934 and Section 203(f) of the Investment Advisers Act of 1940, Making Findings and Imposing Remedial Sanctions (“Order”), as set forth below.

### III.

On the basis of this Order and Respondent’s Offer, the Commission finds that:

#### A. RESPONDENT

1. Between October 2016 and September 2021, Hollifield was a registered representative of a broker dealer registered with the Commission and was a co-owner, principal, managing member, and an investment adviser representative of Hamilton Investment Counsel, LLC, an investment adviser registered with the Commission until April 26, 2022, when it filed its Form ADV-W indicating that it was no longer in business or closing its business.

#### B. ENTRY OF THE INJUNCTION

2. On December 12, 2022, a judgment was entered by consent against Hollifield, permanently enjoining him from future violations of Section 17(a) of the Securities Act of 1933, Section 10(b) of the Exchange Act and Rule 10b-5 thereunder, and Sections 206(1) and 206(2) of the Advisers Act, as set forth in the judgment entered in the civil action entitled Securities and Exchange Commission v. Eric S. Hollifield, Civil Action Number 1:22-CV-00129, in the United States District Court for the Northern District of Georgia.

3. The Commission’s complaint alleged that, during 2020, Hollifield defrauded two advisory clients and one brokerage customer by misappropriating their funds for his personal use, including using \$1.7 million of client and customer funds to purchase a home. In certain instances, Hollifield enticed the clients and customer to invest in Century Warehouse, Inc. (“Century”), an entity Hollifield controlled or otherwise had account authority over, without disclosing his relationship to Century or the conflict of interest the investment presented. Century purportedly provided shipping logistics and warehousing services. According to the complaint, when clients invested in Century, Hollifield often immediately wired a significant portion of investor funds to his own accounts for his personal use. In other instances, the complaint alleges, Hollifield misappropriated client and customer funds through a variety of schemes and used the money to purchase Hollifield’s home.

### IV.

In view of the foregoing, the Commission deems it appropriate and in the public interest to impose the sanctions agreed to in Respondent’s Offer.

Accordingly, it is hereby ORDERED pursuant to Section 15(b)(6) of the Exchange Act, and Section 203(f) of the Advisers Act , that Respondent Hollifield be, and hereby is barred from

association with any broker, dealer, investment adviser, municipal securities dealer, municipal advisor, transfer agent, or nationally recognized statistical rating organization; and

Pursuant to Section 15(b)(6) of the Exchange Act, that Respondent be, and hereby is barred from participating in any offering of a penny stock, including: acting as a promoter, finder, consultant, agent or other person who engages in activities with a broker, dealer or issuer for purposes of the issuance or trading in any penny stock, or inducing or attempting to induce the purchase or sale of any penny stock.

Any reapplication for association by the Respondent will be subject to the applicable laws and regulations governing the reentry process, and reentry may be conditioned upon a number of factors, including, but not limited to, compliance with the Commission's order and payment of any or all of the following: (a) any disgorgement or civil penalties ordered by a Court against the Respondent in any action brought by the Commission; (b) any disgorgement amounts ordered against the Respondent for which the Commission waived payment; (c) any arbitration award related to the conduct that served as the basis for the Commission order; (d) any self-regulatory organization arbitration award to a customer, whether or not related to the conduct that served as the basis for the Commission order; and (e) any restitution order by a self-regulatory organization, whether or not related to the conduct that served as the basis for the Commission order.

By the Commission.

Vanessa A. Countryman  
Secretary