

**ADMINISTRATIVE PROCEEDING
BEFORE THE
SECURITIES COMMISSIONER OF MARYLAND**

IN THE MATTER OF:	*	
BRIAN ALAN MITCHELL	*	Securities Docket No. 2022-0028
KEVIN AARON MACK, JR.	*	
and	*	
YOUNG PROS INVESTMENT GROUP, LLC	*	
	*	
Respondents		
* * * * * * * * * * * *		

FINAL ORDER

WHEREAS, the Securities Division of the Office of the Maryland Attorney General (the “Division”), pursuant to the authority granted in section 11-701 of the Maryland Securities Act, Corporations and Associations Article, Title 11, Annotated Code of Maryland (2014 Repl. Vol. and Supp. 2024) (the “Act” or “Securities Act”), conducted an investigation into the activities of Brian Alan Mitchell (“Mitchell”), Kevin Aaron Mack, Jr. (“Mack”), and Young Pros Investment Group, LLC (“Young Pros”) (collectively “Respondents”); and

WHEREAS, based on that investigation, the Maryland Securities Commissioner (the “Commissioner”) has determined that Respondents have engaged in acts or practices constituting violations of sections 11-301, 11-401, 11-402, and 11-501 of the Act; and

WHEREAS, on January 23, 2025, the Commissioner issued an Order to Show Cause (“Order”), which is incorporated by reference, requiring each Respondent to show cause why that Respondent should not be barred permanently from engaging in the securities and investment

advisory business in Maryland, why an order to cease and desist from violations of the Act should not be entered against them, and why a statutory penalty of up to \$5,000 per violation should not be entered against them; and

WHEREAS, the Order provided that the failure to file an answer, including a request for a hearing, within fifteen (15) days of service of the Order would result in the entry of a Final Order barring the Respondents from engaging in the securities or investment advisory business in Maryland, ordering the Respondents to permanently cease and desist from violations of the Act, and imposing on the Respondents a monetary penalty of up to \$5,000 per violation of the Act; and

WHEREAS, the Order was sent certified mail to Respondents at their last known address on January 23, 2025; and

WHEREAS, on January 31, 2025, service was attempted on Mitchell but the US mail was unable to access the delivery location; and

WHEREAS, on January 31, 2025, service on Mack was attempted and a notice was left to arrange pick up or delivery of certified mail, on February 5, 2025 a reminder to schedule redelivery was left, and on February 15 the Order was returned as unclaimed; and

WHEREAS, on February 14, 2025, service was attempted on Young Pros at the address of its registered agent and the United States mail was unable to access the delivery location; and

WHEREAS, on January 23, 2025, pursuant to section 11-802(b) of the Securities Act, the Order was served on the Commissioner; and

WHEREAS, to date Respondents have failed to file an answer or a request for a hearing in response to the Order; and

WHEREAS, the Commissioner has determined that it is in the public interest to issue this Final Order;

NOW THEREFORE, pursuant to sections 11-301, 11-401, 11-402, 11-501, 11-701.1 and 11-801 of the Act, the Commissioner finds and orders:

The Commissioner alleges the following as a basis for this Order to Show Cause:

I. JURISDICTION

1. The Commissioner has jurisdiction in this proceeding pursuant to section 11-701.1 and 11-801 of the Act.

II. RESPONDENTS

2. Mitchell resides in Ann Arbor, Michigan. He has never been registered as a broker-dealer, agent, investment adviser or investment adviser representative in the State of Maryland. Both the Commodity Futures Trading Commission and the National Futures Association (“NFA”) have taken action against Mitchell. See <https://www.cftc.gov/PressRoom/PressReleases/8427-21> and <https://www.nfa.futures.org/basicnet/regulatory-actions-detail-doc.aspx?docid=4516>

3. Mack resides in Prince Georges County, Maryland. He has never been registered as a broker-dealer, agent, investment adviser or investment adviser representative in the State of Maryland.

4. Young Pros is a Michigan limited liability company created by Mitchell and Mack.

III. FINDINGS OF FACTS

5. In February 2021, a Maryland investor was referred to Mack by her children for an investment in “REITs, crypto and trading” with the promise of 10% monthly returns and the “guaranteed” safety of her principal. Mack said the investment would be pooled with other investor funds and made through his company, Young Pros Investment Group.

6. Mack said that his friend, Mitchell, was a fantastic trader and that her money was guaranteed.

7. The Maryland investor researched Brian Mitchell and found the November 2017 National Futures Association's decision against Mitchell. She brought the decision to Mack's attention, and he assured her that her funds would not be handled by Mitchell.

8. On March 4, 2021, based on Mack's solicitation, the investor transferred \$9,000 to Mack's personal bank account at Charles Schwab Bank. On March 9, 2021, the investor transferred \$41,000 to Mack's personal Charles Schwab bank account.

9. The following month the investor received a \$650 return on her investment.

10. On March 12, 2021, Mack transferred \$105,000 to his personal Charles Schwab brokerage account ending in 5652. The same day he wired \$120,000 to his TD Ameritrade account. On March 18, 2021, Mack wired \$186,000 back into his Charles Schwab bank account. On March 19, 2021, Mack transferred \$149,150 to a different Charles Schwab Brokerage account in the name of Mack and Angela Clark ("Clark") ending in 3254. On March 19, 2021, Mack transferred \$250,000 to a TradeStation account in the name of Clark.

11. Clark opened her TradeStation account with the \$250,000 deposit.

12. Mitchell could not open accounts in his own name without further scrutiny because of the actions taken against him by the Commodity Futures Trading Commission and the National Futures Association.

13. Mitchell traded the TradeStation account in March of 2021. By the end of March 2021, the account had a net futures profit of \$364,786.

14. In April 2021, Mitchell continued to trade Clark's TradeStation account and by the end of April there was a net futures loss of \$473,620. The account began April 2021 with \$614,786 and ended the month with \$191,165.

15. Mitchell continued to trade Clark's TradeStation account until approximately

November of 2021, by which time he had lost essentially all of the investors' funds. By the end of November 2021, Clark's TradeStation account balance was \$685 and had no significant withdrawals.

16. Respondents continued to make interest payments to investors until November 2021.

17. In November 2021, investors received notices from Mack and Mitchell that all funds had been lost in unprofitable trades.

18. Respondents state that they raised money from at least 27 other Maryland investors who invested at least \$774,966. To date, Respondents state that they have paid investors back \$130,622.15 and still owe investors \$644,343.85.

19. Investors entered investment contracts that promised returns based on the amount invested. The contract stated that the investors' principal was "...guaranteed and insured by Young Pros Investment Group, LLC..."

20. Respondents did not disclose that they were not registered to provide investment advice or offer and sell securities.

21. Respondents did not disclose that the investment contracts they were offering and selling were not registered as securities and that no exemption filing had been made.

22. Respondents did not disclose any risks associated with the investment, including the risk that the funds could be lost and that they were not guaranteed.

23. Respondents did not disclose that the funds would be misappropriated by Mack by putting the funds in an account in either his name or Clark's name and not the name of Young Pros.

24. Respondents did not disclose to investors the prior NFA action against Mitchell.

IV. CONCLUSIONS OF LAW

The Commissioner concludes that:

25. Respondents violated section 11-501 of the Act by offering and selling unregistered securities.

26. Respondents, in connection with the offer, sale or purchase of investment contract securities, made untrue statements of material fact or omitted to state material facts and engaged in a course of business that operated or would operate as a fraud or deceit on a person in violation of section 11-301(2) and (3) of the Act.

27. Respondents transacted business as an unregistered broker-dealer or agent, in violation of section 11-401(a) of the Act.

28. Respondent Young Pros employed Mitchell and Mack as unregistered agents in this State, in violation of section 11-402(a) of the Act.

V. SANCTIONS

NOW, THEREFORE, IT IS HEREBY ORDERED that:

a. Respondents shall permanently cease and desist from violating sections 11-301(2) and (3), 11-401(a), 11-402(a), and 11-501 of the Act.

b. Respondents are permanently barred from engaging in the securities or investment advisory business in Maryland for or on behalf of any others, or from acting as principal or consultant in any entity so engaged.

c. Respondents shall cease and desist violations of the Act.

d. Respondents are assessed a civil monetary penalty pursuant to section 11-702 of the Act in the amount of \$650,000 for the violations set forth in this Final Order. Payment of the civil monetary penalty shall be by certified check payable to the Office of the Attorney

General. However, this penalty shall be reduced dollar for dollar by the amount of restitution made by Respondents to the investors that invested in or through the investment program(s) offered or operated by them if, within sixty (60) days of the date of this Final Order, or Respondents enter into an agreement with the Commissioner to make restitution to investors. Any payment of restitution under such a plan shall be by certified check payable to the Office of the Attorney General and then distributed by the Office of the Attorney General in a manner within its discretion. If no agreement for restitution is reached within sixty (60) days of the date of this Final Order, the civil monetary penalty imposed under this Final Order shall be immediately due and payable. If the Division forwards this matter for collection to the Central Collections Department of Maryland, the 17% collection fee assessed by Central Collections shall be in addition to, and not offset, the balance of the civil monetary penalty owed to the Division.

VI. JURISDICTION RETAINED

29. Jurisdiction shall be retained by the Commissioner for such further orders and directions as may be necessary or appropriate for the construction or enforcement of this Final Order.

VII. APPEAL RIGHTS

30. Each Respondent may appeal this Final Order to the appropriate Circuit Court of the State of Maryland within 30 days from the date this Final Order is mailed by the Securities Division.

SO ORDERED:

**Commissioner's Signature on File
w/Original Documents**

February 26, 2025

Melanie Senter Lubin
Maryland Securities Commissioner