



### **III. Factual Background**

5. On or about February 20, 2014, the Division requested information from Respondent pursuant to S.C. Code Ann. § 35-1-411(d) (the “Request for Information”), asking that a response be provided on or before March 31, 2014.

6. On or about March 25, 2014, the Division sent a reminder of its request to the Respondent via email.

7. Respondent failed to comply with the March 31, 2014 deadline.

8. On or about September 8, 2014, the Division sent a letter to the Respondent via U.S. Mail, requesting that the Respondent respond to the Request for Information within ten (10) days of the date of the letter.

9. Respondent complied with the ten-day deadline.

10. Respondent’s continued failure to provide its answer to the Request for Information impeded the Division’s inspection.

### **IV. Applicable Law**

11. The South Carolina Uniform Securities Act of 2005, S.C. Code Ann. § 35-1-101, *et seq.* (the “Act”), governs the offer of, sale of, and rendering of investment advice related to securities within the State of South Carolina.

12. Pursuant to S.C. Code Ann. § 35-1-411(d), the Securities Commissioner or his designee may inspect the records of an investment adviser registered with the Division.

13. Pursuant to S.C. Code Ann. § 35-1-412(c), if the Securities Commissioner finds that the order is in the public interest and subsection (d)(1) through (6), (8), (9), (10), or (12) and (13) authorizes the action, an order under the Act may censure, impose a bar, and/or impose a civil penalty in an amount not to exceed \$10,000 for each violation on a registrant.

## V. Conclusion

14. Based on the foregoing facts and applicable law, a fine not to exceed \$10,000 should be assessed against Respondent for Respondent's violation of the Act.

**NOW THEREFORE**, it is hereby **ORDERED** that Respondent **SHOW CAUSE**, if any there be, why the Securities Commissioner should not enter an Order, pursuant to S.C. Code Ann. § 35-1-412(c), imposing a fine not to exceed \$10,000 on Respondent for impeding the Division's inspection under S.C. Code Ann. § 35-1-411(d).

### **NOTICE AND OPPORTUNITY FOR A HEARING**

Respondent is hereby notified that it has thirty (30) days from the date of this Rule to Show Cause to file an answer and, if desired, a request for a hearing on the matters contained herein. Such documents should be filed with Thresechia Navarro, Securities Division, Post Office Box 11549, Columbia, South Carolina, 29211-1549. In its written Answer, Respondent shall admit or deny each factual allegation in this Rule to Show Cause and set forth specific facts, laws, and/or affirmative defenses which Respondent relies upon. If Respondent is without knowledge or information sufficient to form a belief as to the truth of an allegation, he shall so state.

In the event an answer and written notice requesting a hearing is not received within the above-stated thirty (30) day period of time, an order imposing a fine not to exceed \$10,000 on Respondent will be entered in this proceeding with no further notice.

Respondent is further notified that by seeking the issuance of an order assessing an appropriate fine, the Division is not waiving any rights it may have to pursue additional remedies available to it for violations of the Act committed by Respondent not enumerated herein.

ENTERED, this the 28<sup>th</sup> day of October, 2014.  
Columbia, South Carolina

By: Tracy Meyers  
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**ISSUANCE REQUESTED BY:**

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