STATE OF WASHINGTON DEPARTMENT OF FINANCIAL INSTITUTIONS **SECURITIES DIVISION**

3

IN THE MATTER OF DETERMINING

of the Securities Act and the Franchise

Investment Protection Act of Washington by:

EZ Show, Inc.; Bernie Day; Gordon L. Powers;

whether there has been a violation

2

1

4

5

6

7

8

9

10

11 12

13

14

15

16

17

18 19

20

21

22

23

24

25

Order Number S-07-044-07-CO01

CONSENT ORDER AS TO GORDON L. **POWERS**

Respondents

INTRODUCTION

On August 20, 2007 the Securities Division of the Department of Financial Institutions ("Securities Division") entered a Statement of Charges and Notice of Intent to Enter Order to Cease and Desist; To Impose Fines; To Charge Costs; To Deny Investment Adviser Application; and To Deny Investment Adviser, Investment Adviser Representative, Securities Broker-Dealer, and Securities Salesperson License S-07-044-07-SC01 ("Statement of Charges") against Respondents, EZ Show, Inc., Bernie Day, and Gordon L. Powers. Pursuant to the Securities Act of Washington, ch. 21.20 RCW, and the Franchise Investment Protection Act of Washington, ch. 19.100 RCW, the Securities Division and Respondent, Gordon L. Powers, do hereby enter into this Consent Order in settlement of the matters alleged herein. Respondent neither admits nor denies the Findings of Fact and Conclusions of Law as set forth in the Statement of Charges, which are incorporated by reference into this Consent Order.

1

CONSENT ORDER AS TO GORDON L. POWERS

DEPARTMENT OF FINANCIAL INSTITUTIONS Securities Division PO Box 9033 Olympia, WA 98507-9033 360-902-8760

CONSENT ORDER

IT IS AGREED AND ORDERED that Respondent, Gordon L. Powers, his agents and employees, each shall cease and desist from violations of RCW 21.20.140.

IT IS FURTHER AGREED AND ORDERED that Respondent, Gordon L. Powers, his agents and employees, each shall cease and desist from violating RCW 21.20.010.

IT IS FURTHER AGREED AND ORDERED that Respondent, Gordon L. Powers, his agents and employees, each shall cease and desist from violations of RCW 19.100.020.

IT IS FURTHER AGREED AND ORDERED that Respondent, Gordon L. Powers, his agents and employees, each shall cease and desist from violations of RCW 19.100.080.

IT IS FURTHER AGREED AND ORDERED that Respondent, Gordon L. Powers, his agents and employees, each shall cease and desist from violations of RCW 19.100.170.

IT IS FURTHER AGREED AND ORDERED that Respondent, Gordon L. Powers, shall pay to the Securities Division a fine in the amount of \$30,000. The fine shall be paid as follows: \$15,000 shall be paid prior to the entry of this Consent Order and \$15,000 shall be paid on or before December 1, 2008.

IT IS FURTHER AGREED AND ORDERED that Respondent, Gordon L. Powers, shall pay to the Securities Division the costs, fees, and other expenses incurred in the investigation of this matter in the amount of \$2,500 prior to the entry of this Consent Order.

IT IS FURTHER AGREED AND ORDERED that the pending investment adviser application of Respondent, Gordon L. Powers, is hereby denied.

21

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

22

23

24

25

2

DEPARTMENT OF FINANCIAL INSTITUTIONS Securities Division PO Box 9033 Olympia, WA 98507-9033 360-902-8760

1	IT IS FURTHER AGREED AND ORDERED that Respondent, Gordon L. Powers, shall not apply		
2	for an investment adviser or securities broker-dealer license for a period of six (6) months from the entry		
3	of this Consent Order.		
4	IT IS FURTHER AGREED AND ORDERED that Respondent, Gordon L. Powers, shall not apply		
5	for an investment adviser representative or securities salesperson license for a period of six (6) months		
6	from the entry of this Consent Order.		
7	IT IS FURTHER AGREED that the Securities Division has jurisdiction to enter this Order.		
8	IT IS FURTHER AGREED that in consideration of the foregoing Respondent, Gordon L. Powers,		
9	withdraws his request for a hearing and waives his rights to a hearing and judicial review of this matter		
0	pursuant to RCW 19.100.260, RCW 21.20.440, and ch. 34.05 RCW.		
1	IT IS FURTHER AGREED that Respondent, Gordon L. Powers, enters into this Consent Order		
2	freely and voluntarily and with full understanding of its terms and significance.		
3	WILLFUL VIOLATION OF THIS CONSENT ORDER IS A CRIMINAL OFFENSE.		
4	SIGNED this28 day of July, 2008.		
5	Signed by:		
6	GOLBECK ROTH, PLLC		
17	By/S/ Mark Roth, WSBA No. 21137		
8	Attorney for Gordon L. Powers		
9	Signed by:		
20			
21	Gordon I. Powers, individually		
22	Gordon L. Powers, individually 3		
23	CONSENT ORDER AS TO GORDON L. POWERS DEPARTMENT OF FINANCIAL INSTITUTIONS Securities Division PO Box 9033		
24	Olympia, WA 98507-9033 360-902-8760		

	1		
1			
2	SIGNED and ENTERED this 31 st day of July, 2008.		
3			
4		midel E, Stevenson	
5		MICHAEL E. STEVENSON	
6		Securities Administrator	
7	Approved by:	Presented by:	
8	An Elm	K. Culbert	
9	Suzanne Sarason Chief of Compliance	Kristen Culbert Financial Legal Examiner	
10	Ciner of Compitance	Tillaliciai Legai Examiliei	
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
		4	

23

24

25