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

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IN THE MATTER OF DETERMINING) Order No.: S-12-1035-13-CO01
whether there has been a violation of the)
Securities Act of Washington by:) CONSENT ORDER
)
Mark Nuovo,)
)
Respondent.)

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INTRODUCTION

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On March 29, 2013, the Securities Administrator of the state of Washington issued Statement of Charges and Notice of Intent to Enter Order to Cease and Desist, Deny Future Registrations and to Impose Fines and Charge Costs, order number S-12-1035-13-SC01 (“Statement of Charges”), against Respondent, Mark Nuovo. The Securities Division and the Respondent, Mark Nuovo, do hereby agree to this Consent Order in settlement of the above captioned matter. Respondent, Mark Nuovo, neither admits nor denies the Findings of Fact and Conclusions of Law as stated below.

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FINDINGS OF FACT

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Respondent

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1. Mark Nuovo (“Nuovo”) is a resident of the state of California. At all times relevant to this Statement of Charges he was a registered securities salesperson in the state of Washington. Nuovo was also a registered securities salesperson and a registered investment adviser representative in the state of California at all times relevant to this Statement of Charges. Nuovo was an employee of Euro Pacific Capital, Inc. (“Euro”) doing business in California. Nuovo’s CRD number is 2010167. Nuovo’s registration with Euro ended January 17, 2012.

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Related Parties

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2. Skyfire Capital, LLC (“Skyfire”) is a Nevada limited liability corporation first organized on July 7, 2010 and dissolved on July 5, 2012. Nuovo is the sole member of Skyfire.
3. Euro is a corporation with its primary place of business in Westport, Connecticut and a regional office in Newport Beach, California where Nuovo worked. Euro was at all times relevant to this Statement of Charges a registered broker-dealer firm in the state of Washington and an investment adviser firm registered with the SEC. Euro’s CRD number is 8361.
4. Global Corporate Alliance, Inc. (“GCA”) is a corporation located in Euless, Texas.
5. North American Consumer Alliance (“NACA”) is a non-profit corporation located in Dallas, Texas.

1 Nature of the Conduct

2 6. Nuovo effected transactions in GCA securities that were not offered or reviewed by Euro and off the regular
3 books and records of Euro. Such conduct is generally referred to as “selling away.” Nuovo failed to inform Euro of
4 his outside business activities relating to GCA and Skyfire. Nuovo also falsely filed Form U4s with the Washington
5 State Securities Division and failed to file proper amended Form U4s disclosing his relationship with GCA and
6 Skyfire. In effecting transactions of GCA securities off the regular books and records of Euro, Nuovo gave at least
7 one Washington investor a profit projection without disclosing the material bases and assumptions underlying the
8 projection. Two Washington investors purchased \$1,200,000 worth of GCA securities on Nuovo’s recommendation,
9 and collectively lost \$1,138,915.75.

8 *Background*

9 7. GCA represents itself as a management company for NACA. NACA is represented as a creator and packager
10 of health insurance plans for non-profit associations. GCA purportedly administers these plans on behalf of NACA
11 and earns a management fee. According to GCA investment solicitation materials, NACA receives a “wholesale
12 price” on health insurance plans that it purchases from larger insurance firms, but it charges its customers a “retail
13 price” which must remain constant for regulatory reasons. The retail price is supposedly higher than the wholesale
14 price, the difference being referred to as the “overage.” While GCA purportedly earns a part of this “overage” as a
15 management fee, it also sells a portion for a mixture of capital raising and public relations reasons. GCA sells overage
16 fees on a per member per month basis in five year increments. For instance, GCA offered \$0.20 in overage fees for
17 each health insurance member enrolled in NACA insurance plans every month for a period of five years for \$400,000.
18 GCA projected that such a \$400,000 purchase would yield a return of \$9,921,907 over five years.

17 8. GCA appeared to operate normally as a business until about December of 2011, when the principals of GCA
18 stopped responding to telephone calls and emails and also stopped paying investors their monthly overage fees.

18 9. GCA is not, and has never been, registered to offer and sell securities in the state of Washington.

19 *“Selling Away” Violations*

20 10. Nuovo began investing in GCA overage subscriptions in mid-2010 through his limited liability corporation,
21 Skyfire. Nuovo introduced at least six Euro customers to GCA, two of whom were Washington State residents. The
22 GCA investment was not approved for sale to Euro customers and was not recorded on Euro’s regular books and
23 records. Nuovo earned commissions for referring at least one such client, a California resident, to GCA in June and
24 October 2010. The commissions were paid to Nuovo as GCA overage subscriptions payable to Skyfire.

24 11. Nuovo referred one Washington resident, and Euro client, to GCA resulting in the Washington resident’s
25 purchase of a total of \$700,000 in GCA overage subscriptions. The Washington resident purchased the overage

1 subscriptions with a total of six separate coverage contracts entered into between October 2010 and June 2011. The
2 investor received payments from GCA totaling \$58,884.25 before GCA ceased regular operations in December of
3 2011. These purchases were not recorded on Euro's regular books and records. Nuovo forwarded to the Washington
4 resident GCA investment solicitation materials, answered the Washington resident's questions about the investment
5 and instructed the Washington resident on how to use his 401(k) retirement plan to invest in GCA coverage
6 subscriptions. Nuovo did not inform the Washington resident that he received a commission for referring a different
7 client to GCA. Nuovo told the Washington resident that Nuovo had personally invested in GCA coverage subscriptions
8 and that he expected to receive \$500,000 over five years for a \$0.05 per member per month purchase of GCA coverage
9 fees. Nuovo did not provide the bases or underlying assumptions of his expectation. Nuovo communicated with the
10 Washington investor using his personal email account.

11 12. Nuovo referred a second Washington resident, and a client of Euro's, to GCA. This Washington resident
12 purchased \$500,000 of GCA coverage subscription agreements in late 2011. This investor received one payment of
13 \$2,200 before GCA ceased operating and has otherwise received no return on his investment. The \$500,000
14 transaction was not recorded on Euro's regular books and records. Nuovo forwarded to this Washington resident GCA
15 investment solicitation materials in August 2011. Nuovo also met with this investor along with representatives of
16 GCA for the purpose of soliciting the investor to purchase GCA coverage subscriptions.

17 13. Nuovo failed to provide to either Washington investor material information relating to their investments in
18 GCA coverage subscriptions, including but not limited to: financial statements for GCA, GCA's financial situation and
19 its ability to repay debts, the payment history for GCA coverage subscriptions issued by GCA, a reasonable basis for
20 Nuovo's profit projections and the risks of investing in GCA coverage subscriptions, including, but not limited to, the
21 risk that investors could lose the entirety of their investment.

22 14. At the time Nuovo referred Euro customers to GCA, Euro had in place policies and procedures that would
23 have prohibited such conduct. Specifically, Euro prohibited its securities salespeople from "selling away" or
24 participating in securities transactions without prior written approval from Euro. Nuovo failed to obtain such
25 approval. Euro also prohibited its securities salespeople from participating in outside business activities, such as
Nuovo's sole-proprietorship of Skyfire, LLC, without first informing Euro in writing and obtaining approval for such
outside business activities. Nuovo failed to obtain such approval.

15 15. Nuovo never informed Euro that he was involved in referring Euro clients to GCA. Nuovo also did not inform
16 Euro that he earned compensation for referring Euro clients to GCA. Nuovo failed to mention his activities with
17 regard to GCA or Skyfire on his most recent Outside Business Activities forms dated November 21, 2011, January 4,
18 2011, and June 21, 2010. Nuovo also failed to disclose his involvement with GCA or Skyfire on his most recent
19 Private Securities Transactions forms dated November 21, 2011, and January 4, 2011.

Form U4 Violations

1 16. A Form U4, the Uniform Application for Securities Industry Registration or Transfer form, must be
2 completed in order to register as a securities salesperson. The Form U4 contains employment information including
3 employment history and outside business activities the registered person is involved with. Any person registered as a
4 securities salesperson with the Washington State Securities Division (“Division”) has a duty to keep current his or her
5 Form U4 with the Division. If anything changes, the registered person must file with the Division an amended Form
6 U4 within 30 days.

7 17. Item 13 of the Form U4 asks specifically about “other business” and requires the registered person to disclose
8 whether he or she is “currently engaged in any other business either as proprietor, partner, officer, director, employee,
9 trustee, agent or otherwise.” Item 13 directs the registered person to disclose pertinent details about any outside
10 business, including the registered person’s title, the address of the outside business, and whether the outside business
11 is investment related.

12 18. Nuovo never disclosed his involvement with GCA or Skyfire to the Division with an amended Form U4.
13 Nuovo filed amended Form U4s with the Division on December 10, 2010, and on May 24, 2011. On neither of these
14 filings did Nuovo disclose his involvement in soliciting investors for the GCA overage investment. On neither of
15 these filings did Nuovo disclose the existence of Skyfire.

16 Based upon the above Findings of Fact, the following Conclusions of Law are made:

17 **CONCLUSIONS OF LAW**

18 **I.**

19 The offer and/or sale of GCA overage subscription agreements, as described above, constitute the offer and/or
20 sale of a security under RCW 21.20.005(14) and (17) as evidences of indebtedness, investment contracts, and/or
21 certifications of interest or participations in any profit-sharing agreement.

22 **II.**

23 Mark Nuovo, as described above, engaged in one or more dishonest or unethical practices in the securities
24 business, as defined by WAC 460-22B-090(2), by selling GCA securities to clients of Euro Pacific Capital, Inc.,
25 which were not recorded on Euro Pacific Capital, Inc.’s regular books and records, without prior written authorization
from Euro Pacific Capital, Inc. Such practice is grounds for the denial of any investment adviser, investment adviser
representative or securities salesperson registrations Mark Nuovo may file in the future pursuant to RCW
21.20.110(1)(g).

III.

1 Mark Nuovo, as described above, engaged in one or more dishonest or unethical practices in the securities
2 business, as defined by WAC 460-22B-090(19), by participating in private securities transactions in violation of
3 NASD rule 3040, which requires written notice and approval before a securities salesperson may engage in any
4 securities transactions for compensation outside of his or her broker-dealer firm. Such practice is grounds for the
5 denial of any investment adviser, investment adviser representative or securities salesperson registrations Mark Nuovo
6 may file in the future pursuant to RCW 21.20.110(1)(g).

IV.

7 Mark Nuovo, as described above, engaged in one or more dishonest or unethical practices in the securities
8 business, as defined by WAC 460-22B-090(19), by participating in outside business activities related to Skyfire
9 Capital, LLC in violation of FINRA rule 3270, which requires written notice before a securities salesperson may
10 engage in any business activities outside of his or her broker-dealer firm. Such practice is grounds for the denial of
11 any investment adviser, investment adviser representative or securities salesperson registrations Mark Nuovo may file
12 in the future pursuant to RCW 21.20.110(1)(g).

V.

13 Mark Nuovo, as described above, violated RCW 21.20.350, by filing with the Securities Administrator
14 amended Form U4s that did not disclose his involvement with Global Corporate Alliance, Inc. and with Skyfire, LLC.
15 Such practice is grounds for the denial of any investment adviser, investment adviser representative or securities
16 salesperson registrations Mark Nuovo may file in the future pursuant to RCW 21.20.110(1)(a) and RCW
17 21.20.110(1)(b).

VI.

18 Mark Nuovo, as described above, violated WAC 460-22B-060, by failing to file with the Securities
19 Administrator amended Form U4s that disclosed his involvement with Global Corporate Alliance, Inc. and with
20 Skyfire, LLC. Such practice is grounds for the denial of any investment adviser, investment adviser representative or
21 securities salesperson registrations Mark Nuovo may file in the future pursuant to RCW 21.20.110(1)(b).

VII.

22 Mark Nuovo, as described above, violated RCW 21.20.010, by omitting to state material facts necessary in
23 order to make the statements made, in the light of the circumstances under which they were made, not misleading.
24 Such practice is grounds for the denial of any investment adviser, investment adviser representative or securities
25 salesperson registrations Mark Nuovo may file in the future pursuant to RCW 21.20.110(1)(b).

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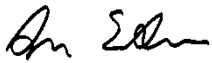
Signed and Entered this 31st day of May 2013.



William M. Beatty
Securities Administrator

Approved by:

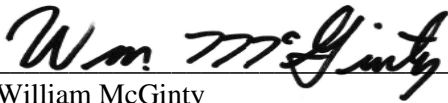
Reviewed by:



Suzanne Sarason
Chief of Enforcement

Jack McClellan
Financial Legal Examiner Supervisor

Presented by:



William McGinty
Financial Legal Examiner

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

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IN THE MATTER OF DETERMINING) Order No.: S-12-1035-13-SC01
Whether there has been a violation of the)
Securities Act of Washington by:) STATEMENT OF CHARGES AND NOTICE OF INTENT
Mark Nuovo,) TO ENTER ORDER TO CEASE AND DESIST, DENY
Respondent.) FUTURE REGISTRATIONS AND TO IMPOSE FINES AND
) CHARGE COSTS
)

THE STATE OF WASHINGTON TO: Mark Nuovo (CRD #2010167)

STATEMENT OF CHARGES

Please take notice that the Securities Administrator of the state of Washington has reason to believe that Respondent, Mark Nuovo, has violated the Securities Act of Washington. The Securities Administrator believes those violations and his acts and practices in the securities business justify the denial, pursuant to RCW 21.20.110(1), of his investment adviser, investment adviser representative, and securities salesperson registrations Mark Nuovo may file in the future, the entry of an order to cease and desist pursuant to RCW 21.20.390, to charge costs pursuant to RCW 21.20.390 and RCW 21.20.110(7) and to impose a fine pursuant to RCW 21.20.395 and RCW 21.20.110(1). The Securities Administrator finds as follows:

TENTATIVE FINDINGS OF FACT

Respondent

1. Mark Nuovo (“Nuovo”) is a resident of the state of California. At all times relevant to this Statement of Charges he was a registered securities salesperson in the state of Washington. Nuovo was also a registered securities salesperson and a registered investment adviser representative in the state of California at all times relevant to this Statement of Charges. Nuovo was an employee of Euro Pacific Capital, Inc. (“Euro”) doing business in California. Nuovo’s CRD number is 2010167. Nuovo’s registration with Euro ended January 17, 2012.

Related Parties

2. Skyfire Capital, LLC (“Skyfire”) is a Nevada limited liability corporation first organized on July 7, 2010 and dissolved on July 5, 2012. Nuovo is the sole member of Skyfire.

STATEMENT OF CHARGES AND NOTICE
OF INTENT TO ENTER ORDER TO
CEASE AND DESIST, DENY FUTURE
REGISTRATIONS AND TO IMPOSE FINES
AND CHARGE COSTS

1

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

1 Euro is a corporation with its primary place of business in Westport, Connecticut and a regional office in
2 Newport Beach, California where Nuovo worked. Euro was at all times relevant to this Statement of Charges a
3 registered broker-dealer firm in the state of Washington and an investment adviser firm registered with the SEC.
Euro's CRD number is 8361.

4 Global Corporate Alliance, Inc. ("GCA") is a corporation located in Euless, Texas.

5 North American Consumer Alliance ("NACA") is a non-profit corporation located in Dallas, Texas.

6 Nature of the Conduct

7 Nuovo effected transactions in GCA securities that were not offered or reviewed by Euro and off the regular
8 books and records of Euro. Such conduct is generally referred to as "selling away." Nuovo failed to inform Euro of
9 his outside business activities relating to GCA and Skyfire. Nuovo also falsely filed Form U4s with the Washington
10 State Securities Division and failed to file proper amended Form U4s disclosing his relationship with GCA and
11 Skyfire. In effecting transactions of GCA securities off the regular books and records of Euro, Nuovo gave at least
12 one Washington investor a profit projection without disclosing the material bases and assumptions underlying the
projection. Two Washington investors purchased \$1,200,000 worth of GCA securities on Nuovo's recommendation,
and collectively lost \$1,138,915.75.

13 *Background*

14 GCA represents itself as a management company for NACA. NACA is represented as a creator and packager
15 of health insurance plans for non-profit associations. GCA purportedly administers these plans on behalf of NACA
16 and earns a management fee. According to GCA investment solicitation materials, NACA receives a "wholesale
17 price" on health insurance plans that it purchases from larger insurance firms, but it charges its customers a "retail
18 price" which must remain constant for regulatory reasons. The retail price is supposedly higher than the wholesale
19 price, the difference being referred to as the "overage." While GCA purportedly earns a part of this "overage" as a
20 management fee, it also sells a portion for a mixture of capital raising and public relations reasons. GCA sells overage
fees on a per member per month basis in five year increments. For instance, GCA offered \$0.20 in overage fees for
each health insurance member enrolled in NACA insurance plans every month for a period of five years for \$400,000.
GCA projected that such a \$400,000 purchase would yield a return of \$9,921,907 over five years.

21 GCA appeared to operate normally as a business until about December of 2011, when the principals of GCA
22 stopped responding to telephone calls and emails and also stopped paying investors their monthly overage fees.

23 GCA is not, and has never been, registered to offer and sell securities in the state of Washington.

“Selling Away” Violations

10. Nuovo began investing in GCA overage subscriptions in mid-2010 through his limited liability corporation, Skyfire. Nuovo introduced at least six Euro customers to GCA, two of whom were Washington State residents. The GCA investment was not approved for sale to Euro customers and was not recorded on Euro’s regular books and records. Nuovo earned commissions for referring at least one such client, a California resident, to GCA in June and October 2010. The commissions were paid to Nuovo as GCA overage subscriptions payable to Skyfire.

11. Nuovo referred one Washington resident, and Euro client, to GCA resulting in the Washington resident’s purchase of a total of \$700,000 in GCA overage subscriptions. The Washington resident purchased the overage subscriptions with a total of six separate overage contracts entered into between October 2010 and June 2011. The investor received payments from GCA totaling \$58,884.25 before GCA ceased regular operations in December of 2011. These purchases were not recorded on Euro’s regular books and records. Nuovo forwarded to the Washington resident GCA investment solicitation materials, answered the Washington resident’s questions about the investment and instructed the Washington resident on how to use his 401(k) retirement plan to invest in GCA overage subscriptions. Nuovo did not inform the Washington resident that he received a commission for referring a different client to GCA. Nuovo told the Washington resident that Nuovo had personally invested in GCA overage subscriptions and that he expected to receive \$500,000 over five years for a \$0.05 per member per month purchase of GCA overage fees. Nuovo did not provide the bases or underlying assumptions of his expectation. Nuovo communicated with the Washington investor using his personal email account.

12. Nuovo referred a second Washington resident, and a client of Euro’s, to GCA. This Washington resident purchased \$500,000 of GCA overage subscription agreements in late 2011. This investor received one payment of \$2,200 before GCA ceased operating and has otherwise received no return on his investment. The \$500,000 transaction was not recorded on Euro’s regular books and records. Nuovo forwarded to this Washington resident GCA investment solicitation materials in August 2011. Nuovo also met with this investor along with representatives of GCA for the purpose of soliciting the investor to purchase GCA overage subscriptions.

13. Nuovo failed to provide to either Washington investor material information relating to their investments in GCA overage subscriptions, including but not limited to: financial statements for GCA, GCA’s financial situation and its ability to repay debts, the payment history for GCA overage subscriptions issued by GCA, a reasonable basis for Nuovo’s profit projections and the risks of investing in GCA overage subscriptions, including, but not limited to, the risk that investors could lose the entirety of their investment.

14. At the time Nuovo referred Euro customers to GCA, Euro had in place policies and procedures that would have prohibited such conduct. Specifically, Euro prohibited its securities salespeople from “selling away” or

1 participating in securities transactions without prior written approval from Euro. Nuovo failed to obtain such
2 approval. Euro also prohibited its securities salespeople from participating in outside business activities, such as
3 Nuovo's sole-proprietorship of Skyfire, LLC, without first informing Euro in writing and obtaining approval for such
4 outside business activities. Nuovo failed to obtain such approval.

5 15. Nuovo never informed Euro that he was involved in referring Euro clients to GCA. Nuovo also did not inform
6 Euro that he earned compensation for referring Euro clients to GCA. Nuovo failed to mention his activities with
7 regard to GCA or Skyfire on his most recent Outside Business Activities forms dated November 21, 2011, January 4,
8 2011, and June 21, 2010. Nuovo also failed to disclose his involvement with GCA or Skyfire on his most recent
9 Private Securities Transactions forms dated November 21, 2011, and January 4, 2011.

10 *Form U4 Violations*

11 16. A Form U4, the Uniform Application for Securities Industry Registration or Transfer form, must be
12 completed in order to register as a securities salesperson. The Form U4 contains employment information including
13 employment history and outside business activities the registered person is involved with. Any person registered as a
14 securities salesperson with the Washington State Securities Division ("Division") has a duty to keep current his or her
15 Form U4 with the Division. If anything changes, the registered person must file with the Division an amended Form
16 U4 within 30 days.

17 17. Item 13 of the Form U4 asks specifically about "other business" and requires the registered person to disclose
18 whether he or she is "currently engaged in any other business either as proprietor, partner, officer, director, employee,
19 trustee, agent or otherwise." Item 13 directs the registered person to disclose pertinent details about any outside
20 business, including the registered person's title, the address of the outside business, and whether the outside business
21 is investment related.

22 18. Nuovo never disclosed his involvement with GCA or Skyfire to the Division with an amended Form U4.
23 Nuovo filed amended Form U4s with the Division on December 10, 2010, and on May 24, 2011. On neither of these
24 filings did Nuovo disclose his involvement in soliciting investors for the GCA overage investment. On neither of
25 these filings did Nuovo disclose the existence of Skyfire.

Based upon the above Findings of Fact, the following Conclusions of Law are made:

CONCLUSIONS OF LAW

I.

The offer and/or sale of GCA overage subscription agreements, as described above, constitute the offer and/or sale of a security under RCW 21.20.005(14) and (17) as evidences of indebtedness, investment contracts, and/or certifications of interest or participations in any profit-sharing agreement.

II.

Mark Nuovo, as described above, engaged in one or more dishonest or unethical practices in the securities business, as defined by WAC 460-22B-090(2), by selling GCA securities to clients of Euro Pacific Capital, Inc., which were not recorded on Euro Pacific Capital, Inc.'s regular books and records, without prior written authorization from Euro Pacific Capital, Inc. Such practice is grounds for the denial of any investment adviser, investment adviser representative or securities salesperson registrations Mark Nuovo may file in the future pursuant to RCW 21.20.110(1)(g).

III.

Mark Nuovo, as described above, engaged in one or more dishonest or unethical practices in the securities business, as defined by WAC 460-22B-090(19), by participating in private securities transactions in violation of NASD rule 3040, which requires written notice and approval before a securities salesperson may engage in any securities transactions for compensation outside of his or her broker-dealer firm. Such practice is grounds for the denial of any investment adviser, investment adviser representative or securities salesperson registrations Mark Nuovo may file in the future pursuant to RCW 21.20.110(1)(g).

IV.

Mark Nuovo, as described above, engaged in one or more dishonest or unethical practices in the securities business, as defined by WAC 460-22B-090(19), by participating in outside business activities related to Skyfire Capital, LLC in violation of FINRA rule 3270, which requires written notice before a securities salesperson may engage in any business activities outside of his or her broker-dealer firm. Such practice is grounds for the denial of any investment adviser, investment adviser representative or securities salesperson registrations Mark Nuovo may file in the future pursuant to RCW 21.20.110(1)(g).

V.

Mark Nuovo, as described above, violated RCW 21.20.350, by filing with the Securities Administrator amended Form U4s that did not disclose his involvement with Global Corporate Alliance, Inc. and with Skyfire, LLC.

1 Such practice is grounds for the denial of any investment adviser, investment adviser representative or securities
2 salesperson registrations Mark Nuovo may file in the future pursuant to RCW 21.20.110(1)(a) and RCW
3 21.20.110(1)(b).

4 **VI.**

5 Mark Nuovo, as described above, violated WAC 460-22B-060, by failing to file with the Securities
6 Administrator amended Form U4s that disclosed his involvement with Global Corporate Alliance, Inc. and with
7 Skyfire, LLC. Such practice is grounds for the denial of any investment adviser, investment adviser representative or
8 securities salesperson registrations Mark Nuovo may file in the future pursuant to RCW 21.20.110(1)(b).

9 **VII.**

10 Mark Nuovo, as described above, violated RCW 21.20.010, by omitting to state material facts necessary in
11 order to make the statements made, in the light of the circumstances under which they were made, not misleading.
12 Such practice is grounds for the denial of any investment adviser, investment adviser representative or securities
13 salesperson registrations Mark Nuovo may file in the future pursuant to RCW 21.20.110(1)(b).

14 **NOTICE OF INTENT TO DENY FUTURE REGISTRATIONS**

15 Pursuant to RCW 21.20.110(1), and based upon the above Tentative Findings of Fact and Conclusions of
16 Law, the Securities Administrator intends to deny any investment adviser, investment adviser representative, and
17 securities salesperson registrations Mark Nuovo may file in the future.

18 **NOTICE OF INTENT TO ORDER THE RESPONDENT TO CEASE AND DESIST**

19 Pursuant to RCW 21.20.390(1), and based upon the above Tentative Findings of Fact and Conclusions of
20 Law, the Securities Administrator intends to order that the Respondent, Mark Nuovo, shall cease and desist from
21 violations of RCW 21.20.010 and RCW 21.20.350.

22 **NOTICE OF INTENT TO IMPOSE FINES**

23 Pursuant to RCW 21.20.110(1) and RCW 21.20.395, and based upon the above Tentative Findings of Fact
24 and Conclusions of Law, the Securities Administrator intends to order that Respondent shall be liable for and pay a
25 fine of \$20,000.

NOTICE OF INTENT TO CHARGE COSTS

1 Pursuant to RCW 21.20.110(7) and RCW 21.20.390, and based upon the above Tentative Findings of Fact
2 and Conclusions of Law, the Securities Administrator intends to order that Respondent shall be liable for and pay
3 costs in the amount of at least \$5,000.

AUTHORITY AND PROCEDURE

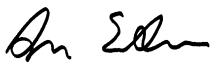
4 This Statement of Charges is entered pursuant to the provisions of Chapter 21.20 RCW and is subject to the
5 provisions of Chapter 34.05 RCW. The respondent, Mark Nuovo, may make a written request for a hearing as set
6 forth in the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR HEARING accompanying this
7 Order. If the respondent does not make a hearing request in the time allowed, the Securities Administrator intends to
8 adopt the above Tentative Findings of Fact and Conclusions of Law as final and to enter a permanent order to cease
9 and desist as to the respondent, to impose any fines sought against the respondent, and to charge any costs sought
10 against the respondent.

11 Signed and Entered this 29th day of March 2013.



14
15 William M. Beatty
16 Securities Administrator

17 Approved by:



20 Suzanne Sarason
21 Chief of Enforcement

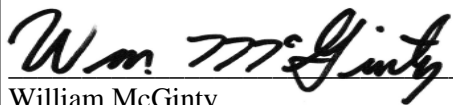
17 Reviewed by:



20 Jack McClellan
21 Financial Legal Examiner Supervisor

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Presented by:



William McGinty
Financial Legal Examiner

STATEMENT OF CHARGES AND NOTICE
OF INTENT TO ENTER ORDER TO
CEASE AND DESIST, DENY FUTURE
REGISTRATIONS AND TO IMPOSE FINES
AND CHARGE COSTS

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