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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-15-1699-15-TO01
Whether there has been a violation of the)
Securities Act of Washington by:) SUMMARY ORDER TO SUSPEND REGISTRATION AND
Higher Order Technologies, LLC, CRD #165947;) NOTICE OF INTENT TO REVOKE REGISTRATION,
Mitchell Eggers, CRD #6133284) IMPOSE A FINE, AND CHARGE COSTS
Respondents.)

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THE STATE OF WASHINGTON TO: HIGHER ORDER TECHNOLOGIES, LLC, CRD# 165947
MITCH EGGERS, CRD # 6133284

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STATEMENT OF CHARGES

Please take notice that the Securities Administrator of the state of Washington has reason to believe that Respondents have violated the Securities Act of Washington. The Securities Administrator believes those violations justify the entry of an order summarily suspending HIGHER ORDER TECHNOLOGIES, LLC's investment adviser registration and giving notice of the intent to revoke HIGHER ORDER TECHNOLOGIES, LLC's registration, to impose a fine, and to charge costs pursuant to RCW 21.20.110. The Securities Administrator finds that a delay in suspending Respondent's registration would be hazardous to the investors and to the public and that this Summary Order should be entered immediately. The Securities Administrator finds as follows:

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TENTATIVE FINDINGS OF FACT

Respondents

1. Higher Order Technologies, LLC, ("Higher Order") has been registered as a limited liability company investment adviser with the Washington State Securities Division since March 2013. The last

1 known address of the investment adviser is at a private residence in Mercer Island, WA 98040. Higher
2 Order Technologies's investment adviser Central Registration Depository ("CRD") number is 138593. The
3 Securities Division file number is 3000203460.

4 2. Mitchell Eggers is the managing member of Higher Order Technologies. He has been
5 registered as an investment adviser representative with the Securities Division March 2013. His CRD
6 number is 6133284.

7 **Nature of the Conduct**

8 3. Each investment adviser registered with the Securities Division must make annual filings
9 with the director after the investment adviser's fiscal year-end.

10 4. An investment adviser must, under WAC 460-24A-060, file with the Securities Division a
11 fiscal year-end balance sheet within 120 days following the end of the fiscal year-end. The Securities
12 Division reviews these balance sheets to determine whether the investment adviser meets the minimum
13 financial requirements as set forth in WAC 460-24A-170.

14 5. Higher Order Technologies has a fiscal year-end of December 31. Higher Order
15 Technologies's 2014 year-end balance sheet was due by April 30, 2015.

16 6. The Securities Division sent Respondents at least eight reminders by electronic mail, two
17 reminders by regular mail, and called at least twice to remind Respondents to file a balance sheet. On May
18 30, 2015, in response to an email from the Securities Division, Respondents represented a balance sheet
19 would be filed imminently. Since then the Securities Division sent Respondents another three reminders by
20 email and called Respondents at least one time. As of the date of this Summary Order, Respondents failed to
21 file a 2014 fiscal year-end balance sheet.

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

2 **CONCLUSIONS OF LAW**

3 1. As set forth in the Tentative Findings of Facts, Respondent, Higher Order Technologies has
4 willfully violated WAC 460-24A-060 by failing to file a 2014 fiscal year-end balance sheet. Such conduct
5 is grounds for an order to suspend and revoke an investment adviser registration under RCW
6 21.20.110(1)(b).

7 2. As set forth in the Tentative Findings of Facts, Respondent Mitchell Eggers as the person
8 who controls Higher Order Technologies is responsible for Higher Order Technologies's violations of WAC
9 460-24A-060. Such conduct is grounds for an order to suspend or revoke an investment adviser
10 representative registration under RCW 21.20.110(6).

11 3. The willful violations of WAC 460-24A-060 each constitute a ground for the entry of an
12 order imposing fines under RCW 21.20.110(1).

13 4. The willful violations of WAC 460-24A-060 each constitute a ground for the entry of an
14 order charging costs under RCW 21.20.110(7).

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16 **EMERGENCY**

17 The Securities Division has been unable to conduct its annual review of Higher Order
18 Technologies's investment adviser business practices because it has failed to make the required filings.
19 Further, the Securities Division cannot determine whether Higher Order Technologies meets the minimum
20 financial requirements for investment advisers or is providing investors with proper disclosure. Therefore,
21 the Securities Administrator finds that an emergency exists, that the continued violations of WAC 460-24A-
22 060 constitute a threat to the investing public and a summary order suspending Higher Order Technologies's
23 investment adviser registration is in the public interest and necessary of the protection of the investing
24 public.

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NOTICE OF INTENT TO REVOKE REGISTRATION

Pursuant to RCW 21.20.110(1), and based upon the above Tentative Findings of Fact and Conclusions of Law, the Securities Administrator intend to order the investment adviser registration of Higher Order Technologies, LLC.

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NOTICE OF INTENT TO IMPOSE FINES

Pursuant to RCW 21.20.110(1), and based upon the above Tentative Findings of Fact and Conclusions of Law, the Securities Administrator intend to order that Respondents each shall be liable for and shall pay a fine of at least \$1,000.

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NOTICE OF INTENT TO CHARGE COSTS

Pursuant to RCW 21.20.110(7), and based upon the above Tentative Findings of Fact and Conclusions of Law, the Securities Administrator intend to order that Respondents shall each be liable for and shall pay costs of \$200.

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SUMMARY ORDER

Based upon the foregoing,

NOW, THEREFORE, IT IS HEREBY SUMMARILY ORDERED under the authority of RCW 21.20.110(1) and (3) that the investment adviser registration of Higher Order Technologies, LLC is suspended pending a final determination in this proceeding.

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AUTHORITY AND PROCEDURE

This Order is entered pursuant to the provisions of chapter 21.20 RCW and is subject to the provisions of Chapter 34.05 RCW. The Respondents may make a written request for a hearing as set forth

1 in the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR HEARING accompanying
2 this Order. If a Respondent does not request a hearing in the allowed time, the Securities Administrator
3 intends to adopt the above Tentative Findings of Fact and Conclusions of Law as final and enter an order
4 revoking the Respondent's registration and imposing the fine and charging the costs sought.

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6 WILLFUL VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE.

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8 DATED AND ENTERED THIS 24th day of June, 2015.

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12 _____
13 William M. Beatty
14 Securities Administrator

15 Approved by:

16 Presented by:

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19 _____
20 Suzanne Sarason
21 Chief of Enforcement

22 _____
23 Kristen Standifer
24 Compliance Legal Examiner