STATE OF WASHINGTON DEPARTMENT OF FINANCIAL INSTITUTIONS SECURITIES DIVISION

IN THE MATTER OF DETERMINING Whether there has been a violation of the Securities Act of Washington by: Thoroughbred National, LLC CRD 289435; Gregory Ferry, CRD 6864337	 Order No.: S-19-2742-19-TO01 SUMMARY ORDER TO SUSPEND REGISTRATIONS AND NOTICE OF INTENT TO REVOKE REGISTRATIONS, IMPOSE A FINE, AND CHARGE COSTS
Respondents	· <u>·</u>

THE STATE OF WASHINGTON TO: THOROUGHBRED NATIONAL, LLC CRD 289435 GREGORY FERRY, CRD 6864337

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 Thoroughbred National, LLC's investment adviser registration and Gregory Ferry's investment adviser representative registration and giving notice of the intent to revoke Respondents' registrations, to impose a fine, and to charge costs pursuant to RCW 21.20.110. The Securities Administrator finds that a delay in suspending Respondents' registrations would be hazardous to the investors and to the public interest and that this Summary Order should be entered immediately. The Securities Administrator finds as follows:

TENTATIVE FINDINGS OF FACT

Respondents

1. Thoroughbred National, LLC ("Thoroughbred") is registered as a limited liability company investment adviser with the Washington State Securities Division. Thoroughbred's Central Registration Depository ("CRD") number is 289435. The Securities Division file number is 3000268989.

SUMMARY ORDER TO SUSPEND REGISTRATION, NOTICE OF INTENT TO REVOKE REGISTRATION, TO IMPOSE A FINE, AND TO CHARGE COSTS

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2. Gregory Ferry is the managing member of Thoroughbred. He has been registered with the Securities Division since 2017. His CRD number is 6864337.

Nature of the Conduct

- 3. Each investment adviser registered with the Securities Division must, under RCW 21.20.100(4) make its books and records available to the Securities Division for periodic examination.
- 4. The Securities Division conducts examinations of the books and records of investment advisers to verify investment advisers are complying with the Securities Act and providing proper disclosure to clients.
- 5. Between August 2018 and August 2019, the Securities Division attempted to contact Respondents at least twelve times by electronic mail, by regular mail, and by telephone to set up an examination. On or about August 8, 2019 the Securities Division sent Respondents a letter informing Respondents that if they did not contact the Securities Division within twenty days Respondents' registrations would be summarily suspended. Respondents have not contacted the Securities Division.

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

CONCLUSIONS OF LAW

- 1. Respondent Thoroughbred National, LLC has willfully violated RCW 21.20.100(4) by failing to make its books and records available to the Securities Division for examination. Such conduct is grounds for an order to suspend and revoke an investment adviser registration under RCW 21.20.110(1)(b).
- 2. The willful violations of RCW 21.20.100(4) constitutes a ground for the entry of an order to suspend or revoke an investment adviser registration under RCW 21.20.110(1), impose a fine under RCW 21.20.110(1), and charge costs under RCW 21.20.110(7).
- 3. Gregory Ferry as the person who controls Thoroughbred is responsible for its violations of RCW 21.20.100. Such conduct is grounds for an order to suspend or revoke an investment adviser representative registration under RCW 21.20.110(6), impose a fine under RCW 21.20.110(1), and charge costs under RCW 21.20.110(7).

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EMERGENCY

The Securities Division has been unable to determine whether Thoroughbred National is safeguarding investor assets or providing investors with proper disclosure. Therefore, the Securities Administrator finds that an emergency exists, that the continued violations of RCW 21.20.100(4) constitutes a threat to the investing public, and a summary order suspending Thoroughbred's investment adviser registration and Gregory Ferry's investment adviser representative registration is in the public interest and necessary of the protection of the investing public.

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 intends to enter an order revoking the investment adviser registration of Thoroughbred National, LLC and the investment adviser representative registration of Gregory Ferry.

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.

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 at least \$200.

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 Thoroughbred National, LLC and the investment adviser representative registration of Gregory Ferry is suspended pending a final determination in this proceeding.

360-902-8760

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

WILLFUL VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE.

DATED AND ENTERED THIS <u>30th</u> day of August, 2019.

William M. Beatty

Approved by:

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Suzanne Sarason Chief of Enforcement William M. Beatty
Securities Administrator

Presented by:
Krisker-Standi

Kristen Standifer Compliance Legal Examiner

SUMMARY ORDER TO SUSPEND REGISTRATION, NOTICE OF INTENT TO REVOKE REGISTRATION, TO IMPOSE A FINE, AND TO CHARGE COSTS

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