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**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:

GENE DAVID HART
Respondent

SDO-049-02

**CONSENT ORDER AND ORDER
VACATING SDO-023-02**

Case No. 02-02-067

Pursuant to the Securities Act of Washington, the Securities Division of the Department of Financial Institutions (“Securities Division”) and Respondent, Gene David Hart (“Hart”), do hereby enter into this CONSENT ORDER AND ORDER VACATING SDO-023-02 in settlement of the above-captioned matter.

In SDO-023-02, SUMMARY ORDER TO CEASE AND DESIST AND NOTICE OF INTENT TO IMPOSE FINES AND COSTS, the Securities Division made “Tentative Findings of Fact” and “Conclusions of Law” that are incorporated by reference into this Order. Respondent neither admits nor denies the “Tentative Findings of Fact” and “Conclusions of Law.”

CONSENT ORDER

The Securities Division and Gene David Hart have agreed upon a basis for resolution of the matters set forth in SDO-023-02 and Gene David Hart hereby agrees to the entry of this Order pursuant to the Securities Act of Washington, ch. 21.20 RCW. Gene David Hart acknowledges the Securities Division’s jurisdiction over this matter and its authority to enter this order.

Based upon the foregoing:

1 IT IS AGREED AND ORDERED that Gene David Hart and his agents and employees shall each
2 cease and desist from offering or selling unregistered securities in violation of RCW 21.20.140, the
3 securities registration section of the Securities Act of Washington.

4 IT IS ALSO AGREED AND ORDERED that Gene David Hart and his agents and employees shall
5 each cease and desist from acting as an unregistered securities broker-dealer or salesperson in violation
6 of RCW 21.20.040, the salesperson registration section of the Securities Act of Washington.

7 IT IS ALSO AGREED AND ORDERED that Gene David Hart and his agents and employees shall
8 each cease and desist from offering or selling securities in violation of RCW 21.20.010, the anti-fraud
9 section of the Securities Act of Washington.

10 IT IS ALSO AGREED AND ORDERED that Gene David Hart shall pay the Securities Division
11 Twenty-Two Thousand Dollars (\$22,000) prior to the entry of this Order. The \$22,000 shall be paid into
12 a special account established by the Securities Division for the reimbursement of the principal amount
13 invested by all persons to whom Hart has sold securities that are subject to this Order. Upon receipt of
14 the \$22,000, the Securities Division shall promptly issue warrants from the special account to reimburse
15 investors in the principal amount that they invested.
16

17 IT IS ALSO AGREED AND ORDERED that Gene David Hart shall pay the Securities Division
18 Five Hundred Dollars (\$500) prior to the entry of this Order for reimbursement of costs incurred by the
19 Securities Division in the investigation of this matter.
20

21 IT IS ALSO AGREED AND ORDERED that Gene David Hart shall be subject to a fine in the
22 amount of Twenty Thousand Dollars (\$20,000), with the entire amount suspended based upon future
23 compliance with this Order. If Gene David Hart violates this Order, the Securities Division will seek
24 enforcement of the Order pursuant to RCW 21.20.395.

1 In consideration of the foregoing, Gene David Hart waives any rights to a judicial or administrative
2 hearing on this matter and the Securities Division hereby vacates the Summary Order to Cease and
3 Desist, SDO-023-02, as to Gene David Hart, except to the extent that the Tentative Findings of Fact and
4 Conclusions of Law in that order have been incorporated herein.

5 WILLFUL VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE.

6 DATED this 3rd day of June, 2002

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11 _____
Gene David Hart



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Deborah R. Bortner
Securities Administrator

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13 Approved as to form by:

Presented by:

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15 _____
Steven T. O'Ban
Attorney for Gene David Hart

15 _____
Janet So
Financial Legal Examiner

16
17
18 Approved by:

19
20 _____
Michael E. Stevenson
Chief of Enforcement