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3 **STATE OF WASHINGTON**
4 **DEPARTMENT OF FINANCIAL INSTITUTIONS**
5 **SECURITIES DIVISION**

6 IN THE MATTER OF DETERMINING
7 Whether there has been a violation
8 of the Securities Act of Washington by:

SDO - 102 - 02

9 ALPHA TELCOM, INC.; AMERICAN
10 TELECOMMUNICATIONS COMPANY,
11 INC.; KELLEY W. ABBOTT; WILFRID
12 ALVAREZ; THOMAS DURSO; DANIEL
13 CURTIN; THOMAS DURSO; ROY GRADY;
14 HANS LORENTZEN; FAY L. MOYER;
15 GLEN OTTMAR; DIRK PETERSON;
16 FREDERICK WEATHERBEE; their agents
17 and employees,

CONSENT ORDER AND ORDER
VACATING SDO-76-02 AS TO THOMAS
DURSO

Respondents.

Case No. 99-07-0220

18 **INTRODUCTION**

19 Pursuant to the Securities Act of Washington, the Securities Division, Department of Financial
20 Institutions, and Respondent Thomas Durso do hereby agree to this Consent Order in settlement of the
21 above captioned matter. Respondent neither admits nor denies the Tentative Findings of Fact or
22 Conclusions of Law as set forth in Final Order to Cease and Desist SDO-76-02 and which are incorporated
23 by reference into this Consent Order.

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26 CONSENT ORDER

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

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CONSENT ORDER

Based on the foregoing,

IT IS AGREED AND ORDERED that Thomas Durso shall cease and desist from offering and selling securities in any manner in violation of RCW 21.20.010, the anti-fraud provisions of the Securities Act of Washington.

IT IS FURTHER AGREED AND ORDERED that Thomas Durso shall cease and desist from offering and selling securities in any manner in violation of RCW 21.20.140, the securities registration section of the Securities Act of Washington.

IT IS FURTHER AGREED AND ORDERED that Thomas Durso shall cease and desist from offering and/or selling securities in violation of RCW 21.20.040, the securities salesperson registration section of the Securities Act of Washington.

IT IS FURTHER AGREED AND ORDERED that Thomas Durso shall not make application for nor be granted a securities salesperson or investment adviser representative license for a period of five (5) years from the date of entry of this Order by the Securities Administrator.

IT IS FURTHER AGREED that Thomas Durso shall reimburse the Securities Division Two Thousand Dollars (\$2,000) for its costs incurred in its investigation of this matter. Said payment is to be made to the Division prior to the entry of this Order.

IT IS FURTHER AGREED AND ORDERED that Thomas Durso shall be subject to a fine in the amount of Fifty-Five Thousand Dollars (\$55,000), with the entire amount suspended based on future compliance with this Consent Order. In the event of a violation of this Order, the Division will seek enforcement of the Order pursuant to RCW 21.20.395.

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2 IT IS FURTHER AGREED that the Securities Division has jurisdiction to enter this Order.

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4 In consideration of the foregoing, Respondent Thomas Durso waives his right to a hearing in this
5 matter, and the Securities Division hereby vacates Final Order to Cease and Desist SDO-76-02 as to
6 Thomas Durso except to the extent that the findings and conclusions in the Final Order to Cease and Desist
7 have been incorporated herein.

8 **WILLFUL VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE.**

9
10
11 SIGNED this _____ day of _____, 2002.

12 Approved as to form by:

13
14 _____

15 Lawrence R. Cock
16 WSBA # 20426
17 Attorney for Thomas Durso

18 Signed by:

19
20 _____
21 Thomas Durso
22 -----

23 **THIS ORDER ENTERED THIS 8th DAY OF November 2002 BY:**

24
25 CONSENT ORDER

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27 Securities Division
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360-902-8760

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DEBORAH R. BORTNER
Securities Administrator

Approved by:

Presented by:

Michael E. Stevenson
Chief of Enforcement

Chad Standifer
Staff Attorney