

STATE OF NORTH DAKOTA

SECURITIES DEPARTMENT

In the Matter of Andrew Schwandt,)
)
 Respondent.)

CONSENT ORDER

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The North Dakota Securities Commissioner has conducted an investigation into the above-captioned matter, has advised the Respondent, Andrew Schwandt, that the Commissioner is prepared to commence formal action pursuant to North Dakota Century Code Chapter 10-04 and has determined as follows:

1. Respondent, Andrew Schwandt, is a resident of Fargo, North Dakota, and is not now and has never been registered as an agent with the North Dakota Securities Department.

2. On or about March 15, 2006, Respondent, Andrew Schwandt, engaged in the offering of an investment contract in the form of a percentage of profits of Dynamic Auto Solutions for value to Timothy Scott Olson, a North Dakota resident, in Fargo, North Dakota.

3. The securities transaction referenced above involved a total investment of \$10,000.

4. The investment contract offered and sold by the Respondent has not been registered with the Securities Department under N.D.C.C. §§ 10-04-07, 10-04-07.1, 10-04-08, or 10-04-08.1; is not an exempt security under N.D.C.C. § 10-04-05; and has not been offered for sale or sold in an exempt transaction under N.D.C.C. § 10-04-06; and is not a federal covered security or has not been properly filed as a federal covered security under N.D.C.C. § 10-04-08.4. The offer and sale of the subject investment was made in violation of N.D.C.C. § 10-04-04 and Respondent engaged in one violation of N.D.C.C. § 10-04-04.

5. The transaction referenced above was conducted at a time when Respondent, Andrew Schwandt, was not registered as an agent with the Securities Department. The Respondent, Andrew Schwandt, engaged in one violation of N.D.C.C. 10-04-10(2).

6. Pursuant to N.D.C.C. § 10-04-16(1), the Securities Commissioner has the authority to Order that a person Cease and Desist from violations of the Securities Act, to rescind transactions made in violations of the Securities Act, and to assess civil penalties in an amount not to exceed \$10,000 for each violation of the Securities Act or a total of \$20,000 based on the violations described above.

The violations described above are sufficient grounds for the Commissioner to assess civil penalties against the Respondent pursuant to N.D.C.C. § 10-04-16(1).

7. Respondent acknowledges his right to a hearing on this matter and waives this right to a hearing and to present arguments to the Commissioner.

8. Respondent agrees to resolve this matter with the Securities Commissioner by this Consent Order.

9. The following Order is necessary and appropriate in the public interest and for the protection of investors.

NOW, THEREFORE, IT IS ORDERED, THAT:

1. Respondent is hereby assessed a civil penalty of \$10,000, which shall be suspended and shall never become due and payable as long as the Respondent complies with each of the following:

a. Respondent shall pay \$6,295.50 to Timothy Scott Olson, 1112 Dakota Avenue, Hatton, North Dakota 58240, in six equal payments of \$1,049.25 to be paid on the 15th day of the next six months commencing on March 15, 2008 as restitution for the funds invested, statutory interest, and accrued bank charges incurred, which sum acknowledges \$5,000 previously paid to Olson by Respondent.

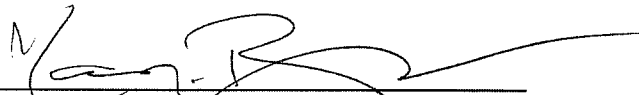
b. Respondent shall not engage in the business of selling securities in North Dakota, unless or until he is registered as a securities agent and properly affiliated with a registered dealer.

c. Respondent shall not engage in any violations of the North Dakota Securities Act.

2. This Order shall be effective upon signature of the Commissioner.

Signed and Sealed this 25th day of March, 2008.




Karen J. Tyler, Securities Commissioner
Office of the Securities Commissioner
State Capitol-5th Floor
600 East Boulevard Ave.
Bismarck, ND 58505-0510
(701) 328-2910

STATE OF NORTH DAKOTA
SECURITIES DEPARTMENT

In the Matter of Andrew Schwandt,)
)
) **CONSENT TO ENTRY**
) **OF ORDER**

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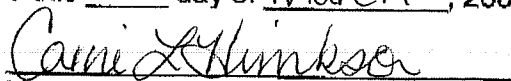
Based on mutual concessions and a willingness to resolve all matters discussed in the foregoing Consent Order, the undersigned Respondent, states that:

1. He has read the foregoing Consent Order, and knows and fully understands its contents and effects.
2. He has been advised of his right to a hearing with regard to this matter, and has specifically waived his right to a hearing.
3. He has been advised that any willful violation of this order is a Class B Felony pursuant to Section 10-04-18(1) N.D.C.C. and is punishable by a \$10,000 fine and 10 years' imprisonment, with respect to a natural person, pursuant to Section 12.1-32-01(3) N.D.C.C.
4. The foregoing Consent Order constitutes the entire settlement agreement between the Respondent and the Securities Commissioner, there being no other promises or agreements, either expressed or implied.
5. He admits the accuracy of the factual determinations of the Commissioner, as set forth in the foregoing Consent Order, and is specifically precluded from denying those determinations in any forum, public or otherwise.
6. He consents to entry of the foregoing Consent Order by the Securities Commissioner, and does so willingly for the purpose of resolving the issues described in the foregoing Consent Order.

Dated this 14th day of March, 2008


Andrew Schwandt

Subscribed and Sworn to before me this 14 day of March, 2008.


Carrie L. Henriksen
Notary Public
My Commission Expires:

