

STATE OF NORTH DAKOTA

BEFORE THE

COUNTY OF BURLEIGH

SECURITIES COMMISSIONER

In the Matter of Copeland Equities,)
Inc.)
)
Respondent)

CONSENT AGREEMENT

.....
The North Dakota Securities Commissioner has advised the respondent, Copeland Equities, Inc., (Copeland) that the Commissioner is prepared to commence formal action pursuant to North Dakota Century Code Chapter 10-04 and has reason to believe as follows:

1. Respondent, Copeland, is a broker/dealer, which for all times relevant to this matter has been registered in the state of North Dakota.
2. As part of its business as a broker/dealer, Copeland services clients who chose to invest through a 403(b) payroll deduction plan. In July of 1998, Copeland accepted payments, through a payroll deduction from Mercy Hospital, from Cheryl Klinger, a North Dakota resident.
3. Copeland did not receive all of the necessary paperwork from Mercy Hospital and Ms. Klinger, but Copeland continued to receive payroll deductions and not allocate those payroll deductions as Ms. Klinger intended, until March of 1999. It is not clear that Copeland made any attempt, and it is clear that they did not make any successful attempt, to get the final paperwork completed and to properly allocate Ms. Klinger's funds until March of 1999.
4. Copeland and Ms. Klinger agree that the delay in the allocation of these funds cost \$451.81 to Ms. Klinger's account. Copeland herein agrees to pay Ms. Klinger the sum of \$451.81.
5. Pursuant to NDCC section 10-04-16, when it shall appear to the Commissioner that any person has engaged in, or is engaging in, or is about to engage in any act or practice which is declared illegal in this chapter, the Commissioner may, in his discretion, issue any order and collect civil penalties against any person found in an administrative action to have violated any provision of the chapter in an amount not to exceed \$10,000 for each violation. The activities described above, if proven, would constitute a violation and would be sufficient grounds for the Commissioner to assess civil penalties against respondents pursuant to NDCC section 10-04-16.
6. The Commissioner finds that the facts, as set forth above, constitute untimely executions of securities. Respondent denies that it made any untimely

executions of securities, but enters into this agreement as a settlement of this matter, and makes no admissions that it has engaged in any violations of the North Dakota Securities Act.

7. Respondent acknowledges its right to a hearing on this matter and, upon advice of counsel, waives its right to a hearing in this matter and to present arguments to the Commissioner.

8. Respondent agrees to resolve this matter with the Securities Commissioner by this agreement, and this is evidenced by its representative's signature below.

9. The following agreement is necessary and appropriate in the public interest.

NOW, THEREFORE, IT IS HEREBY AGREED THAT:

1. Respondent, shall, contemporaneous with entering this agreement, pay \$451.81 to Ms. Klinger in compensation for her losses.
2. Respondent, shall, contemporaneous with entering this agreement, pay \$2,048.19 to the Office of the Securities Commissioner as a civil penalty for the violations set forth above.

Signed and Sealed this 28th day of February, 2000.



A handwritten signature in black ink that reads "SYVER VINJE".

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

Dated this 23rd day of February, 2000.

Copeland Equities, Inc.
P. O. Box 1063
Two Tower Center
East Brunswick, NJ 08816-1063

By: Donna S. Webber
(Type or Print Name)

Signed: *Donna S. Webber*
Capacity: Vice President and Counsel

Subscribed and Sworn before me this 23rd day of February, ~~1999~~ 2000

Joseph De Michael
Notary Public

(Notary Seal)

State: New Jersey County: Middlesex
My Commission Expires: 5/3/2000

JOSEPH DE MICHAEL
A Notary Public of New Jersey
My Commission Expires 05/03/2000