

**STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH**

**BEFORE THE
SECURITIES COMMISSIONER**

In the Matter of Creative Capital)
Management Corporation)
Respondent.)

CONSENT ORDER

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The North Dakota Securities Commissioner has advised the Respondent, Creative Capital management Corporation, that he is prepared to commence formal action pursuant to NDCC Chapter 10-04 and has determined as follows:

1. That on Respondent executed two unsolicited transactions in the account of one North Dakota resident while they were not registered as dealers or salesmen in North Dakota. Each transaction was made in violation of §10-04-10 N.D.C.C.
2. Pursuant to NDCC §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.
3. The information described above is sufficient grounds for the Commissioner to assess civil penalties against Respondent pursuant to NDCC §10-04-16.
4. 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.

5. Respondent, without admitting or denying the Commissioner's findings put forth above, agrees to resolve this matter with the Office of the Securities Commissioner by this agreement, and this is evidenced by its representative's signature below.

6. The following Order is necessary and appropriate in the public interest.

NOW, THEREFORE, IT IS ORDERED, THAT:

1. Respondent shall not transact any securities business with any person in North Dakota unless registered as a dealer or properly exempted under NDCC Chapter 10-04.

2. Respondent shall not employ any person to represent them as a securities salesman for any securities business with any person in North Dakota unless such person is registered as a salesman or properly exempted under NDCC Chapter 10-04.

3. Respondent shall pay a civil penalty of \$1,000 to the Office of the Securities Commissioner pursuant to NDCC §10-04-16.

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

Signed and Sealed this 28th day of December, 1998.



Syver Vinje

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

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

BEFORE THE
SECURITIES COMMISSIONER

RECEIVED

In the Matter of Creative Capital
Management Corporation)
)
)
 Respondent.)

CONSENT TO ENTRY
OF ORDER

DEC 28 1998

SECURITIES COMMISSIONER
STATE OF NORTH DAKOTA

The undersigned, acting on behalf of Creative Capital Management Corporation, states that he/she has read the foregoing Consent Order; that he/she knows and fully understands its contents and effects; that he/she is authorized to execute this Consent to Entry of Order on behalf of the Respondent; that Respondent has waived its rights to a hearing with respect to this matter; and that Respondent consents to entry of the Consent Order by the Securities Commissioner without admitting or denying the findings of fact and conclusions of law contained herein. It is further expressly understood that the Consent Order constitutes the entire settlement agreement between the parties hereto, there being no other promises or agreements, either expressed or implied.

Dated this 22nd day of December, 1998.

Creative Capital Management Corporation
2537 Lorain Avenue
Cleveland, OH 44113

By: William J. Davis
(Type or Print Name)

Signed: *William J. Davis*
Capacity: Senior Vice President

Subscribed and Sworn before me this 22nd day of December, 1998

(Notary Seal) *Barbara J. Halpin*
Notary Public
State: New York County: Suffolk
My Commission Expires:

BARBARA J. HALPIN
Notary Public, State of New York
No. 61NA4645433
Qualified in Suffolk County
Commission Expires 11-30-99