

STATE OF NORTH DAKOTA

BEFORE THE

COUNTY OF BURLEIGH

SECURITIES COMMISSIONER

In the Matter of Edward D. Jones)
& Co., L.P.; and DeAnne Gierke,)
)
 Respondents)

CONSENT ORDER

.....
The North Dakota Securities Commissioner has advised the respondents, Edward Jones & Co., Inc. (Jones), and DeAnne Gierke (Gierke) 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, Jones, is a securities dealer headquartered in St. Louis, Missouri. For all times relevant to this matter, Jones has been registered as a dealer in the state of North Dakota.
2. Respondent, Gierke, is a North Dakota resident who, for all times relevant to this matter, was registered as an agent of Jones.
3. On or around March 6, 2000, respondent sold stock in SmartSources.com to Eugene Gress, a resident of North Dakota. SmartSources.com stock was not registered as a security in North Dakota and does not qualify for an exemption from the registration provisions of the Securities Act.
4. Pursuant to section 10-04-04 N.D.C.C., no person may offer for sale or sell any securities in this state unless the security is registered, exempt from registration, or is properly filed as a federal covered security.
5. Pursuant to section 10-04-10 N.D.C.C., no person may act as a dealer in the sale of securities in this state unless the dealer is registered, unless the transaction is an exempt transaction.
6. Pursuant to section 10-04-16 N.D.C.C., 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 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.
7. The violations described above are sufficient grounds for the Commissioner to assess civil penalties against respondents pursuant to section 10-04-16 N.D.C.C.

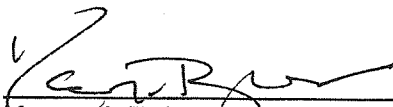
8. Respondents acknowledge their rights to a hearing on this matter and waive those rights to a hearing and to present arguments to the Commissioner.
9. Respondents agree to resolve this matter with the Securities Commissioner by this Consent Order.
10. The following Order is necessary and appropriate in the public interest.

NOW, THEREFORE, IT IS ORDERED, THAT:

1. Respondents shall not transact any securities business with any person in North Dakota unless the securities related to the transactions are registered, exempt from registration, or properly filed as a federal covered security as required by North Dakota law.
2. Respondents shall offer repay Eugene Gress the amount of \$6,000 which is the amount of the investment (\$5,000) plus 6% interest as of July 6, 2003. Respondents may require the signing of an appropriate release and the return of the investment as a requirement for the rescission offer.
3. Respondents shall pay a civil penalty of \$1,000 to the North Dakota Securities Department pursuant to §10-04-16 N.D.C.C.
4. This Order shall be effective upon signature of the Commissioner.

Signed and Sealed this 18th day of July, 2003.





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

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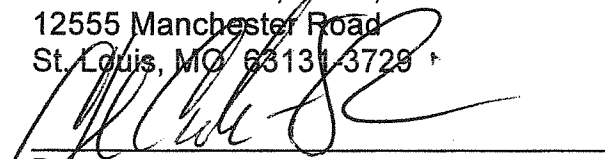
CONSENT TO ENTRY
OF ORDER

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Each of the undersigned, on behalf of the Respondents, acknowledge having read the foregoing Consent Order, knowing and understanding its contents and effects. Each undersigned person acknowledges executing this Consent to Entry of Order on behalf of the Respondents, and that all parties have waived their rights to a hearing with respect to this matter, and that they consent to entry of the Consent Order by the Securities Commissioner.

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.

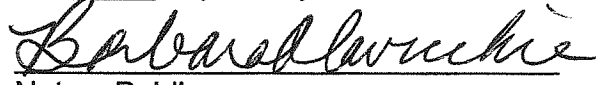
Dated this 10th day of July, 2003.

Edward D. Jones, & Co., L.P.
12555 Manchester Road
St. Louis, MO 63131-3728



By:
Its:

Subscribed and Sworn before me this 10th day of July, 2003.



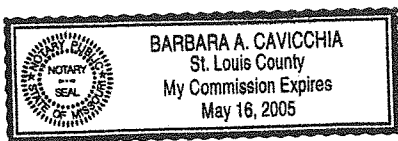
Notary Public

(Notary Seal)

State:

County:

My Commission Expires:



Dated this 27 day of ~~July~~^{June}, 2003.

Deanne Gierke
Deanne J. Gierke
Edward D. Jones & Co., L.P.
PO Box 445
Beulah, ND 58523

Subscribed and Sworn before me this 27 day of ~~July~~^{June}, 2003.

(Notary Seal)

Jane M. Purce
Notary Public
State: ND County: Mercer
My Commission Expires:
4/14/04