

registered as an agent or investment adviser representative with the North Dakota Securities Department.

3. On or about December 28, 2004, the Respondent offered for sale and sold at least one investment contract as described above to at least one North Dakota resident in the principal amount of \$20,000 as an agent for CFG. Said investment contract is a security as defined in N.D.C.C. §10-04-02(19).
4. The subject security has not been registered with the Securities Department under N.D.C.C. §§ 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 security was made in violation of N.D.C.C. § 10-04-04 and the Respondent, Bernhagen, engaged in at least one violation of N.D.C.C. § 10-04-04.
5. The transaction referenced above was conducted at a time when the Respondent, Bernhagen, was not registered as an agent with the Securities Department. The Respondent therefore engaged in at least 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).

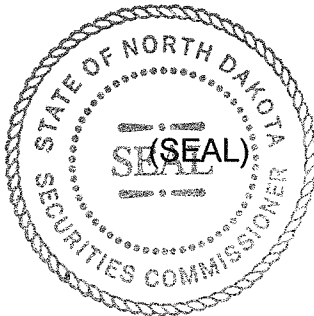
7. Respondent has a right to a hearing on this matter, but affirmatively waives any right to a hearing and to present arguments to the Commissioner regarding this matter.
8. Respondent agrees to resolve this matter with the Securities Commissioner by this Consent Order, and this is evidenced by Respondent's signature on the Consent to Entry of Order, attached hereto and incorporated herein by reference.
9. This following Order is necessary and appropriate in the public interest.

NOW, THEREFORE, IT IS ORDERED, AND AGREED as follows:

1. Respondent shall **CEASE AND DESIST** from offering for sale or selling in North Dakota the subject securities, or any other securities however denominated, unless and until such securities have been registered with the Securities Department.
2. Respondent shall **CEASE AND DESIST** from offering for sale or selling securities, or effecting transactions in securities, in North Dakota unless and until he has registered with the Securities Commissioner as a broker-dealer or agent.

3. Respondent shall **CEASE AND DESIST** from any other violations of the Securities Act or rules in connection with the offer and/or sale of securities in this state.
4. Respondent is hereby assessed and shall pay a civil penalty of \$1,000 to the North Dakota Securities Department based on the violations discussed above.
5. This Order shall be effective upon signature of the Commissioner.

IN TESTIMONY WHEREOF, witness my hand and seal this 5th day of March, 2012.





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

STATE OF NORTH DAKOTA
SECURITIES DEPARTMENT

In the Matter of Alan Bernhagen,)	
)	
)	CONSENT TO ENTRY
Respondent.)	OF ORDER
)	

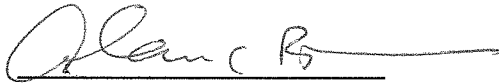
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Based on mutual concessions and a willingness to resolve all matters discussed in the foregoing Consent Order, Respondent, Alan Bernhagen, states that:

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. The foregoing Consent Order, which is attached hereto and incorporated herein by reference, constitutes the entire settlement agreement between the Respondent and the Securities Commissioner, there being no other promises or agreements, either expressed or implied.
4. He admits the jurisdiction of the Securities Department and the factual determinations set forth in the foregoing Consent Order, and he is specifically precluded from denying those determinations in any forum, public or private.

5. He consents to entry of the foregoing Consent Order by the Securities Commissioner, and does so willingly and voluntarily for the purpose of resolving the issues described in the foregoing Consent Order.

Dated this 1 day of ^{March}~~February~~, 2012.


Alan Bernhagen

Subscribed and sworn to before me this ___ day of February, 2012.

Notary Public
My Commission Expires: