

State of Missouri  
Office of Secretary of State

Case No. AP-06-30

IN THE MATTER OF:

MARK L. HENRY,  
CRD 2363168

*Respondent.*

Serve at:

7163 Brandi Lane  
Joplin, MO 64804

**FINAL ORDER TO CEASE AND DESIST AND ORDER IMPOSING CIVIL  
PENALTIES AND AWARDED COSTS**

On January 30, 2007, the Enforcement Section of the Securities Division, by and through Mary S. Hosmer, Assistant Commissioner, submitted a Petition for Final Order to Cease and Desist and Order Imposing Civil Penalties and Costs (the "Petition"). After reviewing the Petition, the Commissioner issues the following findings of fact, conclusions of law, and order:

1. On November 15, 2006, the Missouri Commissioner of Securities issued an Order to Cease and Desist and Order to Show Cause Why Civil Penalties and Costs Should not be Imposed (the "Order").
2. On November 20, 2006, Respondent was served by certified mail with the Order pursuant to Section 409.6-611(b), RSMo. (Cum. Supp. 2005).
3. The time to request a hearing in this matter as provided in Section 409.6-604(b), RSMo. (Cum. Supp. 2005), and 15 CSR 30-55.020, has expired.
4. The Respondent did not request a hearing, and the Commissioner has received no communication or correspondence from Respondent.
5. In the Petition, the Enforcement Section of the Securities Division requested a Final Order to Cease and Desist as to the Respondent in this matter.
6. In the Petition, the Enforcement Section of the Securities Division requested that Respondent pay the costs of investigation in this matter in the amount of eight thousand one hundred and ninety-four dollars (\$8,194).
7. In the Petition, the Enforcement Section of the Securities Division requested the Commissioner issue an order requiring that Respondent pay a civil penalty in the amount of ten thousand dollars (\$10,000) for multiple violations of Section 409.4-402, RSMo. (Cum. Supp. 2005).
8. In the Petition, the Enforcement Section of the Securities Division requested the Commissioner issue an order requiring that Respondent pay a civil penalty in the amount of ten thousand dollars (\$10,000) for multiple violations of Section 409.5-501, RSMo. (Cum. Supp. 2005).
9. This order is in the public interest and consistent with the purposes intended by the Missouri Securities Act of 2003.

**ORDER**

**NOW, THEREFORE**, it is hereby ordered that:

- A. The Cease and Desist Order entered in Case Number AP-06-30 on November 15, 2006, is **FINAL**.
- B. Pursuant to Section 409.6-604(d), RSMo. (Cum. Supp. 2005), Respondent shall pay, within thirty (30) days from the date of service of this Order, a sum of ten thousand dollars (\$10,000) to the State of Missouri as a civil penalty for multiple violations of Section 409.4-402(a), RSMo. (Cum. Supp. 2005). This amount shall be sent to the Secretary of State and made payable to the State of Missouri, and the Secretary of State shall forward these funds to the state treasury for the benefit of county and township school funds as provided in Article IX, Section 7 of the Constitution of Missouri. Respondent shall deliver this payment to the Securities Division, 600 West Main Street, PO Box 1276, Jefferson City, Missouri 65102.
- C. Pursuant to Section 409.6-604(d), RSMo. (Cum. Supp. 2005), Respondent shall pay, within thirty (30) days from the date of service of this Order, a sum of ten thousand dollars (\$10,000) to the State of Missouri as a civil penalty for multiple violations of Section 409.5-501, RSMo. (Cum. Supp. 2005). This amount shall be sent to the Secretary of State and made payable to

the State of Missouri, and the Secretary of State shall forward these funds to the state treasury for the benefit of county and township school funds as provided in Article IX, Section 7 of the Constitution of Missouri. Respondent shall deliver this payment to the Securities Division, 600 W. Main Street, PO Box 1276, Jefferson City, Missouri 65102.

- D. Pursuant to Section 409.6-604(e), RSMo. (Cum. Supp. 2005), Respondent shall pay, within thirty (30) days from the date of service of this Order, the sum of eight thousand one hundred and ninety-four dollars (\$8,194) as reimbursement for the costs of the investigation and administration of this matter. This amount shall be sent to the Secretary of State and made payable to the Missouri Secretary of State's Investor Education and Protection Fund. Respondent shall deliver this payment to the Securities Division, 600 W. Main Street, PO Box 1276, Jefferson City, Missouri 65102.
- E. Pursuant to Section 409.6-604(f), RSMo. (Cum. Supp. 2005), this matter shall be referred to the Missouri Attorney General's Office to collect the fines and costs described in this Final Order, as necessary.

**SO ORDERED:**

WITNESS MY HAND AND OFFICIAL SEAL OF MY OFFICE AT JEFFERSON CITY, MISSOURI THIS 1<sup>ST</sup> DAY OF MARCH, 2007.

ROBIN CARNAHAN  
SECRETARY OF STATE

(Signed/Sealed)

MATTHEW D. KITZI  
COMMISSIONER OF SECURITIES

**CERTIFICATE OF SERVICE**

I hereby certify that on this 1<sup>st</sup> day of March, 2007, a copy of the foregoing Final Order issued in the above styled case was mailed by certified U.S. Mail, postage prepaid to Respondent at the below listed address.

Mark L. Henry, CRD No. 2363168  
7163 Brandi Lane  
Joplin, MO 64804

John Hale  
Specialist