STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
DIVISION OF FINANCE AND CORPORATE SECURITIES

In the Matter of:	Case No. S-15-0085
THOMAS F. KENNEDY, Respondent.	FINAL ORDER TO CEASE AND DESIST, FINAL ORDER ASSESSING CIVIL PENALTY, AND CONSENT TO ENTRY OF ORDER

The Director of the Department of Consumer and Business Services for the State of Oregon (hereinafter "the Director"), acting in accordance with the Oregon Securities Law, Oregon Revised Statutes ("ORS") 59.005 to 59.451, 59.991 and 59.995, and Oregon Administrative Rules ("OAR") chapter 441, has investigated the securities salesperson ("salesperson") license application, and the amendments thereto, of Thomas F. Kennedy ("Respondent").

Respondent has cooperated with the Director's investigation and wishes to resolve this matter with the Director.

Now therefore, as evidenced by the signature subscribed herein, Respondent hereby CONSENTS to the entry of this Order.

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Telephone: (503) 378-4387

FINDINGS OF FACT

The Director FINDS that:

1. Respondent is a California resident who is licensed in Oregon to work as a securities broker-dealer salesperson. The Central Registration Depository ("CRD") number for Respondent is #1627431. In order to become licensed as a salesperson in Oregon, Respondent was required to complete the Central Registration Depository ("CRD") Uniform Application for Securities Industry Registration or Transfer ("Form

U4"). The Form U4 includes Disclosure Reporting Pages ("DRP"), wherein Respondent is required to disclose certain information identified therein, including, but not limited to, the "Financial Disclosure" information set forth in Sections 14K through 14M of the DRP. Respondent, as a licensee, has a responsibility to keep the information in the DRP continually updated.

2. Respondent completed a Form U4, including the Financial Disclosure section of the DRP, when registering with employers from the time of his initial licensing in Oregon on January 18, 2001.

3. Section 14K(1) of the DRP in Form U4 asks in relevant part: "Within the past 10 years: * * * have you made a compromise with creditors[?]"

4. On or about August 16, 2011, Respondent entered into a compromise with a credit card company wherein his debt was reduced by approximately $6,000.

5. Respondent did not file an amendment to his Oregon license application, including disclosure of the above-described compromise, in response to the question in Section 14K(1) of the Form U4, until October 22, 2013, more than 30 days from the date of the occurrence.

CONCLUSIONS OF LAW

The Director CONCLUDES that:

6. At all times material to this Order, Respondent has been licensed as a "salesperson" in Oregon, as defined by ORS 59.015(18)(a).

7. Respondent, as a licensed salesperson, is required to amend his license application on Form U4 when there are material changes in the information contained in the original application. ORS 59.175(6); OAR 441-175-0105(3)(c).

8. In accordance with OAR 441-175-0105(2), Respondent is required to amend his Oregon license application within 30 days of the occurrence of any material changes

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in the information contained in the original application or any amendments thereto.

9. Section 14K(1) of the Form U4, "Financial Disclosure," requires that a licensed salesperson disclose the existence of any compromise with creditors.

10. The existence of a compromise with creditors by a licensee is a "material change" of the information contained in the original application, as that term is used in ORS 59.175(6) and OAR 441-175-0105(2).

11. The Respondent failed to timely file an amendment to his Oregon salesperson license application within 30 days of the occurrence of a material change, in violation ORS 59.175(6) and OAR 441-175-0105(2).

ORDERS

The Director issues the following ORDERS:

Final Order to Cease and Desist

A. In accordance with ORS 59.245, Respondent is hereby ORDERED to CEASE AND DESIST from failing to timely file a required amendment to his Oregon salesperson license application after a material change to the information contained in the application, as required by ORS 59.175(6) and OAR 441-175-0105(2); and violating any provision of Oregon Revised Statutes chapter 59 or Oregon Administrative Rules chapter 441.

Final Order Assessing Civil Penalty

12. In accordance with ORS 59.995(1), the Director hereby ORDERS the Respondent to pay a CIVIL PENALTY in the total amount of $5,000 (five thousand dollars) for violation of ORS 59.175(6) and OAR 441-175-0105(2).

13. The Director SUSPENDS the collection of $4,000 (four thousand dollars) of the civil penalty assessed above, so long as Respondent complies with all terms and conditions of this Order and all requirements of the Oregon Securities Law. If

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Respondent complies with the terms of this Order and the Director has not initiated an enforcement action for new violations of the Oregon Securities Law during the three-year period from the effective date of this Order, the Director WAIVES the collection of the suspended CIVIL PENALTY assessed herein.

14. The Respondent must pay the remaining CIVIL PENALTY of $1,000 (one thousand dollars) at signing, prior to the entry of this Order.

15. This Order is a "Final Order" under ORS 183.310(6)(b). Subject to that provision, the entry of this Order does not limit other remedies that are available to the Director under Oregon law.

SO ORDERED this 1st day of October, 2015.

PATRICK M. ALLEN, Director
Department of Consumer and Business Services

/s/ David Tatman
David C. Tatman, Administrator
Division of Finance and Corporate Securities

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CONSENT OF THOMAS F. KENNEDY TO ENTRY OF ORDER

I, Thomas F. Kennedy, state that I am a resident of the State of California, that I have read the foregoing Order and that I know and fully understand the contents hereof; that the factual allegations stated herein are true and correct; that I have been advised of my right to a hearing, and that I have been advised of my right to be represented by counsel in this matter; that I voluntarily consent to the entry of this Order without any force or duress, expressly waiving any right to a hearing in this matter; that I understand that the Director reserves the right to take further actions against me to enforce this Order or to take appropriate action upon discovery of other violations of the Oregon Securities Law by me; and that I will fully comply with the terms and conditions stated herein.

I understand that this Order is a public document.

/s/ Thomas F. Kennedy
Thomas F. Kennedy

State of California

County of Santa Cruz

Subscribed and affirmed before me by Thomas F. Kennedy this 28th day of September, 2015.

D. Castillo
Notary Public

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